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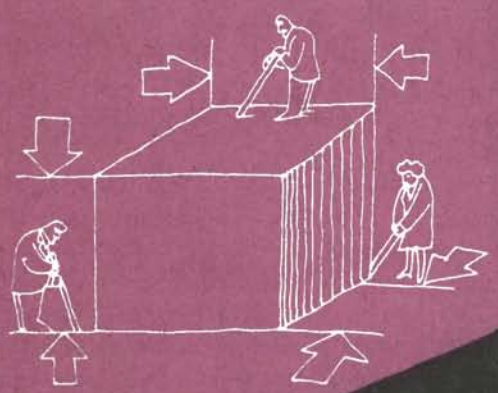

ABORTION: WHEN 'ROE' FALLS
Daniel A. Degnan & The Editors

Academic Freedom at Catholic U.
JAMES H. PROVOST
RAYMOND H. POTVIN
MARY COLLINS

Reports

MITCHELL COHEN
from Israel

PATRICK JORDAN
from Jamaica

THOMAS SWICK
from Romania

With Correspondence from

WILLIAM J. BYRON

& The Editors' Reply

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CORRESPONDENCE

Theology for laity

Littleton, Colo.

To the Editors: Your editorial ["Lecturing (Sigh!) the Laity," March 10] captured in lucid prose and apt metaphor the essence of the latest papal pronouncement on us, the laity (*Christifideles laici*). After the comment by Congar, the subsequent failure of the church "to move ahead from there" is both painful and pathetic.

What do we really need as an adequate theology of the laity? What we presently have is more like an analysis of "space" as in where do we fit. What's needed, I submit, is the approach of "time," which would result in a description of our activity which can transform the world (acknowledged in the papal document) and the church (unmentioned).

I read John Paul II admitting to the loss of a meaningful Christian character in the contemporary world. I also hear him addressing the laity as those who can alter this situation. I hope we can, because if the world experiences a tad more of Gospel-inspired transformation, think what might happen to the church.

DAVID M. THOMAS

Holy Smoke

Washington, D.C.

To the Editors: Granted, *Christifideles laici* is lengthy ["Lecturing (Sigh!) the Laity," March 10]. Granted too, its occasional quaint phraseology can get in the way. But there is so much more.

For example, there is the recognition of the power of small communities of faith within the parish. There is a reaching out to youth, an invitation to intergenerational dialogue. There is a call to close the gap between theory and practice regarding the equality of women: search canon law and become aware of how much is already possible, says the pope. All of the above were recommended by the NCCB delegates to the synod. The language was different, but the ideas the same. *Christifideles laici* affirms pastoral councils (parish and diocesan) as well as diocesan synods, and episcopal conferences are urged to find ways of consulting and collaborating with the laity. Participation is underscored as a value. The laity's mission in the work place and in civic communities is held up. Again, the American bishops said as much.

The challenge is how to get these ideas, now bolstered by the papal exhortation, into the main stream of church life. A greater challenge is how to bring the overriding theme of *Christifideles laici*, namely the re-evangelization of society, onto the pastoral agenda of the local churches.

The pre-synod consultation in the United States sparked thoughtful reflection and imaginative dialogue all over this country. Can *Christifideles laici* keep those reflective fires burning? Can it ignite our collective will to provide necessary resources for spiritual and religious formation so essential for re-evangelization? I hope so. Any ideas?

DOLORES R. LECKEY
Secretariat on Laity & Family Life
National Conference of
Catholic Bishops

The editors reply:

If the synod on the laity in Rome had been organized by Dolores Leckey, who organized the pre-synodal consultation in the U.S., it too would have "sparked thoughtful reflection and imaginative dialogue."

THE EDITORS

Lament from Germany

Rochester, N.Y.

To the Editors: Dr. Herbert Remmar, a visiting professor at the University of Rochester Medical Center (and a visitor to our parish during his stay) is very concerned about Rome's interference in the episcopal selection process in Germany ["The Cologne Declaration," February 24, 1989]. He and his wife, now in their seventies, have been members and supporters of a German Catholic youth movement that has some 10,000 members. The following letter to the president of the German Bishops' Conference was signed by members of their group. Before returning to Germany, Dr. Remmar gave me a copy with the request that I send it to the "best" Catholic journal in the U.S. Ergo...

P. DAVID FINKS
Downtown Community Forum

To Bishop Dr. Karl Lehmann, Mainz:

The undersigned members of the Society of Catholic Women and Men in Freibourg, regard developments in our church with great concern....The dispute over the nomination of the archbishop of Cologne is the occasion for our writing this letter. We protest the ugly manipulation of the selection...by changing the *modus operandi* while the process was underway. Even more lamentable is the contempt shown for the local church, which is supposed to have been particu-

(Continued on page 284)

Commonweal welcomes letters on subjects treated in its pages. Letters should not exceed 250 words and are subject to editing for clarity and space limitations.

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COMMONWEAL

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The editors are always glad to consider any material for publication, but may we again remind readers that unsolicited manuscripts should be accompanied by a stamped addressed envelope. We regret that we cannot otherwise return such material.

The longer march

The numbers tell a story. The 300,000 marchers in Washington on April 9 ranked with the largest demonstrations in the nation's history—with the 1963 civil rights march and with the 1971 anti-Vietnam demonstrations. Read one way, the numbers tell us that a woman's right to abortion can summon as great a political response as securing the civil rights of black citizens or ending a murderous war in Southeast Asia. They also tell us that among all the causes that have benefited from the movement for women's rights—equal pay for equal work, day care, equal opportunities in education, training, and career advancement—abortion still has the greatest drawing power. The April 9 march was originally organized to demonstrate on behalf of those causes that had been side-stepped during the Reagan administration and to help revitalize the women's movement. When the Supreme Court agreed to hear *Webster* v. *Reproductive Health Services* (a case involving a Missouri law that placed certain restrictions on abortion) and the Bush administration invited the Court to use this as an opportunity for overthrowing *Roe* v. *Wade*, the organizers refocused the march on defending the right to abortion. The number of marchers greatly exceeded even the organizers' expectations. It is sobering that a woman's freedom to choose abortion has become the symbol, and for many the substance, of women's freedom in general, a proxy issue that engenders greater support than other measures that would address more basic problems and disabilities of women: the right to shelter, for one.

In the contest of numbers, many in the prolife movement would expect to be able to match or exceed those numbers—and perhaps they could. But even if the Court were directly swayed by public opinion, then neither those who defend *Roe* as it stands nor those who want it wholly erased would be likely to win in this fearsome contest. In a poll conducted shortly before the march and published in the *Boston Globe* (March 31), 25 percent of the respondents thought abortion acceptable in all circumstances; 19 percent in no circumstances, and the majority, 53 percent, only in certain circumstances.

In what circumstances did the 53 percent think abortion should be legal? Rape (86 percent); incest (83 percent); potential genetic deformity (52 percent); definite genetic deformity (65 percent); physical health of the mother (81 percent); saving the life of the mother (86 percent).

In what circumstances did the 53 percent think abortion should be illegal? In most circumstances when birth would result in a social hardship, ranging from 50 percent when the mother is a minor to 83 percent when the father refuses to help raise the child; when a pregnancy endangers the emotional health of the mother (64 percent); as a means of birth control (89 percent); or when the mother wants an abortion and the father doesn't (72 percent) and vice versa (75 percent). Ninety-three percent of the respondents thought that the abortion of a fetus who was not of the desired sex should also be

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illegal. Clearly, a majority of Americans do not support abortion on demand; nearly three-quarters (53 percent plus 19 percent) want at least some restrictions.

But numbers don't tell the whole story. The Court is not likely to be swayed by any of those we have cited, and knowledgeable observers are doubtful that it will take the Missouri case as the opportunity to overthrow *Roe*, although it may allow some of the provisions of the Missouri law to stand; for example, the one that requires the physician to test for fetal viability if the woman appears to be twenty or more weeks pregnant. Oral arguments in the case were heard on April 26 and the decision will come at the end of the Court's term in June.

But if not this time or the next, the Court is eventually likely to place some limits on *Roe*. (Perhaps the April 9 march will have its real impact in what is likely to be a hotly contested fight over the next Supreme Court appointment.) Neither the staunchest prolife nor the most committed prochoice activists are likely to rest quietly with the compromise of deeply held moral views, one in which the life of an unborn child is held supreme and one in which a woman's right to decide whether or not to bear that life is held supreme. Though both groups represent minority positions—as the *Boston Globe* and other poll data show—each sees the other as the unrepresentative minority. Visceral reactions and the temptation to sloganeering and simplifying can overwhelm the serious debate that must come, especially if the effect of limiting *Roe* is to place critical elements of control back with the states where the opinions of the 53 percent are likely to carry weight for a compromise in state legislatures.

But compromise is not the final prize in what is finally a national tragedy, 1.5 million abortions a year. Increasingly it strikes us that changes in the legal status of abortion, even of a fairly restrictive kind, may not greatly reduce the number of abortion "procedures." The struggle over abortion is moral and cultural, social and economic, at least as much as it is legal.

The real meaning of the unprecedented numbers in the April 9 march is the extent to which the social bonds between men and women, between individuals and the society have been so attenuated that the social and psychological bond between mother and unborn child has been sundered. (How perverse this seems amid the growing consciousness of the precarious condition of "Mother" earth and the increasing sensitivity to the sacredness of all life.)

Great numbers of women, often with good reason, do not trust men or the society to help them care for themselves or their children. That does not free women from moral responsibility for taking a human life. Some of them do so with remorse and regret and for grave reasons, some of them with callousness and indifference for reasons that are trivial, and some of them from ignorance of what is at stake. But whatever their attitudes and circumstances, their behavior and responsibility do not free the rest of us—women and men—from our responsibility for the pressures in our society that make the abortion decision economically or socially compelling and for the moral/cultural disbonding that renders abortion morally inconsequential to so many women and men.

And this is where the debate over a legislative compromise seems to us to become all-important. Abortion should not be a choice any woman feels compelled to make. We do not know all of the conditions that would foster an opposite choice in each and every case. But all of those items on the original agenda of the April 9 march are a beginning; in addition, divorce reform and restriction, adequate child support from both parents (even if they were never married), direct government grants for children; and then, greater workplace support of a "mommy" and "daddy" track and a consistent social commitment to family life. These cannot constitute a moral quid pro quo justifying a post-*Roe* compromise on abortion. But without them, we doubt that even compromise strongly favoring life will make a real-life difference. Freedom for women and justice for families will not be achieved until we pursue them with at least as much passion as prolife and prochoice marchers have invested in their campaigns.

THE MOTE & THE BEAM

Prince William Sound, Alaska, once pristine, is now the color of tea, stained by the largest oil spill in North American history. The accident could have been prevented or, after it occurred, the damage readily contained. But gross negligence (mismanagement, poor regulation, bad policy, basic blunders, or human fumbles—pick at least one) led Exxon's newest and largest oil tanker to the reef that tore open its hull and then to the oil's hazardous sprawl.

Who is responsible? Exxon, which owns the ship and hired the crew; the ship's captain, who left his post and drowned his sorrows; Alyeska, the consortium responsible for piping the oil to the region; and the local government in the town of Valdez, which lulled itself into complacency with the oil companies. Now, millions of barrels of oil cover hundreds of square miles of water and shoreline. Tens or hundreds of thousands of animals, birds, and fish have died.

But more is at stake than the ecology of Prince William Sound. More than the income of local fisheries, the price of oil and gas, and public support for the new Alaskan pipeline project.

"The environment" has become an international political issue. How ecological damage occurs, how often, and how that damage is managed all reflect on our credibility in the effort to protect the environment. The Valdez incident could not raise the question more strongly: Is the United States as concerned about the environment as we imply when we preach environmentalism and conservationism to other nations?

The impact of the Valdez oil spill is being closely watched by officials in Brazil, who have been besieged in recent months by international media—led by our own—pointing fingers at another environmental problem: atmospheric pollution and damage to the ozone layer. Brazil is fostering both by cutting and burning its Amazon rain forest. That damage is real and

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stopping it is urgent. The proposals Brazil's President José Sarney made in April—to ban deforestation for agriculture and cattle, and to control the sale of mercury from gold prospecting—would at least begin to limit future damage.

Now the finger wagging has been turned on us. Defensive Brazilians remind us of our own sins: the U.S. systematically destroyed the forests of Vietnam, and, over the past two hundred years, much of our own forest lands. Even now, while preaching the perils of global warming through the greenhouse effect, the U.S. contributes three times as much carbon dioxide to the atmosphere through automobile exhaust as Brazil does through its forest fires.

Probably harder for Brazilians to swallow is the hypocrisy of our demands: while urging Brazil to go slow on Amazon development, the U.S. allows developers to cut down our forests in Maine and the Pacific Northwest. Legalized deforestation of U.S. land and the U.S. government's endless footdragging on measures to control the pollutants that create acid rain only reenforce the Brazilians' fear that they are being asked to pay the price for our heedless development.

Politically, it hardly matters that the ecological damage caused by the Valdez spill (or any oil spill) weighs in lighter on the ecological disaster scale than the destruction of Brazil's rain forest. But in the international debate the environmental depredation caused by any single incident matters rather less than the politics of the developed world, with its limitless passion for growth, urging caution and prudence on the less developed. Both Brazil and the U.S. are sinning against the environment. So are most nations. But the debate over the Amazon rain forest reads like the parable of the mote (Brazil) and the beam (the U.S.).

The U.S. must act far more vigorously than it is on a wide range of environmental problems if it is to be taken seriously in the international discussions. Further, as one of the world's major environmental offenders, this country must shoulder a proportionate share of the cost of the sacrifices others are being asked to make for the common good. That means writing off a portion of Brazil's foreign debt and conditioning new loan packages on the acceptance of measures that will foster environmentally sound development.

Ultimately, it will take much more to save the earth than simply putting our money where our mouth is, but that is the obvious place to start.

CAESAR & HIS WIFE

Speaker of the House Jim Wright's problems are not his and his wife's alone. He is the most powerful leader in the Democratic party and second in line to succeed the president. In his position, both the Wright House and the Wright household are ethically and legally subject to public scrutiny. Mr. Wright is, to quote his own phrase, "a public man." Thus his recent declaration that, "I just haven't paid attention to my personal finances" rings hollow, coming from a man who has worked so effectively and avidly to advance his position.

The speaker is innocent until proven otherwise. He has the right to a fair and thorough hearing on the charges of financial impropriety that have been associated with his name over the last year. The ten-month, $1.5 million investigation by the House Committee on Standards of Official Conduct has clearly provided that opportunity. But the committee's unanimous vote on April 17, including all six Democratic members, charging Mr. Wright with sixty-nine instances of rules violations for accepting gifts and failing to make full financial disclosure, brought the matter to the point of no return. Mr. Wright will now defend himself before the committee. If it still concludes, however, that he has violated House rules, the matter must go to the full House. The speaker could be reprimanded, censured, or even expelled. So far, the ethics committee has performed its task thoroughly and avoided the pitfalls of partisanship. It is to be commended.

In March, an unctuous Mr. Wright told reporters that if his colleagues had lost faith in him, he would not want to stay on as speaker. He repeated that offer to the full Democratic caucus the day after the ethics committe had announced its findings. If the charges of impropriety stand up in a full hearing, the Democrats must move quickly and decisively to take the speaker at his word. Congress has other, more important issues to deal with than protecting Speaker and Mrs. Wright's honor.

REPORT FROM JAMAICA

AFTER THE STORM

CAN MANLEY PICK UP THE PIECES?

Half-a-year after the storm of the century, Hurricane Gilbert, tore across Jamaica, the devastation to the island nation is still there to see. Driving from the airport at Kingston in early March, I was reminded of a scene from *Empire of the Sun*. Several old transport planes stood heavily damaged at the end of a runway, hit on the ground when Gilbert swept through. One smaller craft was pasted high in a line of trees along the roadway, swept up there by "Mr. Gilbert"; it dangled like a dry fly in a spider's web.

I was traveling in Jamaica with a group of journalists. Though it was the height of the tourist season, our time was not spent on the famed sandy beaches, but in the slums of the capital city, looking at development projects. Like the graceful snowy egrets that alight in the rubble of the Kingston dump—a vast tract where 5,000 people make their living by scavenging—the natural beauty of the island stands in stark contrast to the living conditions of the majority. Recent estimates put the number of those living in poverty as high as 80 percent out of a population of 2.3 million. A priest in one of Kingston's poorest areas

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summed up the prospects: "Everyone wants out. There is no future here."

The hurricane, which caused $2.1 billion in damage to farming and temporarily set back the tourist trade, the island's largest industry, was just the latest in a series of troubles for the Jamaican economy. Over the last decade-and-a-half, the country's export revenue has fallen drastically as a result of government mismanagement and shifts in world trade markets: sugar took a plunge (the U.S. quota fell to its lowest point in this century); bauxite, the island's chief mineral export, has experienced a prolonged depression and is just beginning to come back. This, coupled with the heightened price of imports and fuel during the same period, meant Jamaica accumulated a debt almost as high as its own Blue Mountains, $4.5 billion, and per capita one of the highest in the world. More than 40 percent of Jamaica's exchange earnings are being consumed by the debt, leaving almost nothing for investment.

In an effort to restrain the economic tailspin, former Prime Minister Edward Seaga (in power from 1980-89) agreed to a series of International Monetary Fund (IMF) demands, cutting government services, including education and health care, and drastically devaluing the Jamaican dollar in an effort to encourage exports. The slight increase in exports was outpaced by the rising price of imports, ending in even greater national debt. The small middle class is being squeezed out by inflation. The illiteracy rate, once one of the lowest in the Caribbean, has taken an alarming leap with the cutbacks in education.

Seaga's conservative Labor government, in favor with the Reagan administration with which it shared similar foreign policy and economic tenets, encouraged free-trade zones on the island. Multinational companies in industries such as garment assembly, many from the U.S., were invited to set up shop and given incentives in the form of tax breaks. A number did, and unemployment island-wide fell from 40 percent to 25 percent (although in some areas it remains at 80 percent). But these more favorable employment figures hide the fact that most of those employed in the trade zones are vastly underpaid: $3 a day, which can only be described as a wage on which to languish. Since this is the only work available, many have little choice. And while Jamaicans resent the wage exploitation in the free-trade zones, all their attempts at unionization have been rebuffed. While partial employment has dampened general unrest for the time being, everyone knows this is not an adequate solution for the long-term. Meanwhile, the profits from the free-trade zones continue to end up off-island, in the pockets of international investors.

It was no surprise then, that national elections in February decisively turned out, by a margin of 3 to 1, the Seaga government and returned Michael Manley and the People's National Party (PNP) to power. In his previous stint as prime minister (1972-80), Manley ran afoul of the U.S. with his populist-socialist policies and his support for Cuba. He is not likely to rock the boat this time around. His hands are firmly tied by agreements already in place with the IMF, and his socialist views seem to have moderated. While he offered very few concrete proposals during his campaign, the poor believe that

things have got to get better under him. Carl Stone, a highly regarded Jamaican social scientist, estimates that Manley has about eighteen months to make a difference. Stone says that Manley's hardest task will be to raise the awareness of poor Jamaicans so that "their expectations begin to match the limited short-run possibilities." Most observers are skeptical that Manley will be able to do that, or be able to break with the traditional Jamaican pattern of "to the elected go the spoils." As one Jamaican put it, "nothing really changes [with elections here]. Only a different set of men gets richer." If the past is prelude, Labor will eventually succeed the PNP, only to be ousted in turn by the PNP.

The biggest news out of this election was the relative lack of violence. (In the 1980 election, which Jamaicans call "the War," nearly 800 died; this year only about a dozen met that fate.) In many of the poorer areas of Kingston, there is a political tribalism that requires very little stirring to create trouble. A priest who was a poll watcher in the recent election told me he was surrounded by PNP supporters when they thought the ballots he was transporting to election headquarters to be counted were going to be spirited off in a Labor party van. He escaped with his life only because the army arrived just at that moment.

Reflecting its British colonial past, Jamaica is heavily Protestant, with Baptists and Anglicans predominating. The Catholic church is small (8 percent), but has a strong moral voice. It was among the first to call for a peace treaty between the political parties during the election campaign. The Kingston archdiocesan paper, *Catholic Opinion*, has called for electoral reforms. A recent church statement against the death penalty is a response to the island's dubious distinction of having the highest per capita rate of its citizens facing execution in the Western hemisphere: Since 1980, fifty-nine Jamaicans have been executed, and Amnesty International says that presently 200 are on death row. Father Richard Ho Lung, a native Jamaican who founded the Brothers of the Poor, a small group that lives and works with the indigent, writes a weekly column for the *Daily Gleaner*, Jamaica's largest newspaper, called "The Diary of a Ghetto Priest." In 1981, Ho Lung revealed the

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scandalous conditions in the national poorhouse, named Eventide, where the chronically infirm and mentally retarded were warehoused. The publicity led to a national catharsis similar to that which followed our Willowbrook revelations. Eventide was revamped, broken up into smaller institutional settings, and given closer public oversight. Ho Lung regularly speaks out on controversial issues such as prison reform and controlling the drug trade. As a result, his life has been threatened by dealers.

For his part, Mr. Manley will try to cooperate with U.S. anti-drug policies by clamping down on the island's production of marijuana. He has committed his government to sealing off Jamaica as a transfer point for drug-running operations between Latin America and the U.S.

While the hurricane season is over, and the poor still hope that they have a friend in Michael Manley, the storms are never far off. A great number of trees were downed by Hurricane Gilbert, and in many places the poor dragged them to clearings where they set up smoldering earth mounds to convert them into charcoal, which they then sold for small sums. But in the long run, Jamaica can't make it by consuming its dead past. With its economy depleted in certain essential areas, its education and health care systems faltering, and its population growing, wise husbandry must guide Jamaica in replenishing and redistributing its national resources. More generous aid from abroad is needed. As one Jamaican businessman put it, it will be simply impossible to change things without outside help. But not the help of those who fatten themselves on free-trade zones.

PATRICK JORDAN

Patrick Jordan is an associate editor of Commonweal. *He recently visited Jamaica on a trip sponsored by Food for the Poor.*

REPORT FROM EASTERN EUROPE

ROMANIA, ROMANIA
EATING CEAUSESCU'S SALAD

"Where is Romania?" That is a question I often ask myself as I read articles about the unhappiest corners of the world: El Salvador, Lebanon, South Africa, the Philippines. Almost never do I hear of the ruination of Romania, see graffiti demanding the overthrow of its leader, Nicolae Ceausescu, notice appeals on behalf of the prisoners of conscience in Bucharest, or come upon ads to send food parcels to the hungry people of Moldavia. Why this total silence?

Romania, of course, is situated in the Balkans, a part of Europe that has always had something of a nether quality for Americans—enhanced, to be sure, by the presence of Transylvania. But Romania's current invisibility has to do with the nature of its present horror-producing regime, a regime which cultivates an atmosphere of secrecy, surveillance, and unrelenting oppression.

The misery of the Romanians for most of this decade has been both physical and mental. It has imposed a profound and pervasive silence on the majority of the country's 23 million inhabitants. Families bundle at home in overcoats, shunted away in tiny apartments that are cold because of scarce fuel and dimly lit because of restrictions on electricity. Hot water can be absent for months. There is precious little in the way of nourishment to steel the people against the elements. Shortages exist of even the most fundamental foodstuffs: milk, butter, bread, and eggs. Romania is the only European country with widespread hunger and increasing malnutrition. Yet this is a land blessed with rich farmland and natural resources. Romania's lowlands have traditionally been one of Europe's major grain-growing areas, producing rye, maize, and wheat.

Medicines and hospital services are dangerously limited. Ambulances do not respond to calls from the elderly, and Poles—Poles!—who drive through Romania report being besieged by children begging for antibiotics. These hardships have made Romanians wary to speak out. Rather, one concerns oneself with feeding and caring for one's family, proving the old political axiom that people truly oppressed do not revolt.

To make sure of that, however, the Ceausescu regime employs an elaborate and extremely effective security apparatus. All meetings with foreigners must be cleared beforehand by the state. Listening devices are used widely, and the U.S. Embassy has reported that one of every three Romanians has ties with the secret police. All typewriters must be registered, indicating not only the degree of attempted thought control, but the almost total lack of computerized technology. Birth control is illegal because of a state policy to increase the population. Such measures, added to the cold, hunger, darkness, and a deep-rooted Romanian fatalism, make for a passive, muzzled populace. Had Hobbes lived in contemporary Romania he would have concluded that life is nasty, brutish, watched, bugged, and—thankfully—short.

This goes some way in explaining why we haven't heard much about Romania's travails. But journalists who have attempted to provide such a look, like Peter Klebnikov, the East European correspondent of the *New York City Tribune*, are up against enormous odds. Klebnikov was expelled from the country in February after only two days there, during which he was followed by more than sixty security cars. Police confiscated his notebooks and film at the border.

One of Klebnikov's reasons for going to Romania was to report on Ceausescu's latest plan, announced last year, of "territorial systematization." Never one for small gestures, the seventy-one-year-old Ceausescu has embarked on a program that calls for the destruction of 7000 villages—over half the total in the entire country—and the resettlement of their inhabitants in new "agro-industrial complexes." Both the scale and implications of this project are so enormous that it warrants worldwide attention and censure.

Ceausescu's megalomaniac tendencies have already been apparent in his redesign of the capital city, Bucharest. Entire

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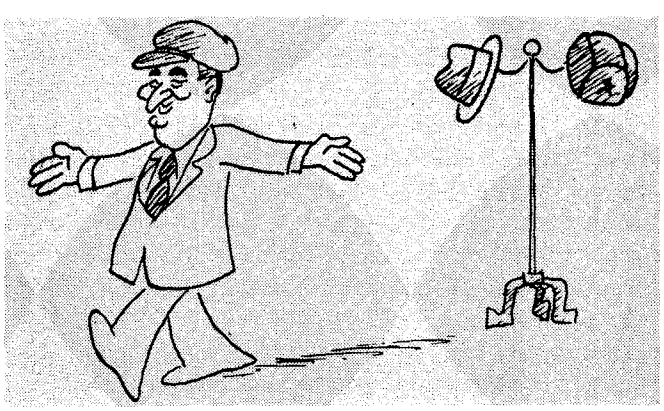
blocks of the city's most historic section, including architecturally significant Orthodox churches, have been razed to make room for Ceausescu's National Palace on the grand Boulevard of the Victory of Socialism. Monumental structures proclaiming Ceausescu's glory now loom where once stood quiet residential streets and occasional clusters of spires. This predilection for the incongruous act, the callous, self-aggrandizing gesture, has put Ceausescu in tandem with certain contemporary African potentates. Vladimir Tismaneanu, a resident scholar at the Foreign Policy Research Institute in Philadelphia, describes Ceausescu's recent actions as a "third-world approach" that is bringing about Romania's "tribalization."

Mr. Tismaneanu left Romania in 1981. When he speaks of Ceausescu, who has been in power since 1965, it is with some of the detachment of an academic. Yet he seems mesmerized, at times, by Ceausescu's implausibility. Tismaneanu notes, for example, the copious religious-like references to the leader and the iconography of the many posed pictures of Ceausescu and his wife in such organs as the party paper, *Scinteia*. He points out that when Ceausescu is described— as he apparently often is— as "a Hero among the nations's heroes," only the hero referring to Ceausescu himself is capitalized. Several years ago *Scinteia* printed a telegram from the late Salvador Dali congratulating Ceausescu on adding a presidential scepter to his official paraphernalia.

In such a light, it is easy to dismiss Ceausescu as a demented egoist. But it was his emphasis on national traditions and independence from Moscow which won him respect both in the West and in his own country in the late 1960s. He alone of the Eastern bloc leaders denounced the Soviet invasion of Czechoslovakia in 1968. He followed this up by condemning the abuses of the Stalinist era, releasing political prisoners, and fostering a modest amount of liberalization at home. Ionesco was published and Sartre translated. Many Romanian writers, including Paul Goma, joined the Communist party. (It was this sort of behavior— not to mention the frequent accompaniment of his wife, and the often-intoned references to "democracy"— that caused a Romanian exile recently to wonder in the *New York Times* if Gorbachev is another Ceausescu.)

But the mood in Romania changed drastically after Ceausescu visited China and North Korea in 1971. He was impressed by the cult of personality in Mao's China and, in North Korea, by the actualization of "total political control" possible in a small country. "His interest," claims Tismaneanu, became "undisputed, unchallenged personal power. Ceausescu's mind is shrewd and primitive. He has a peasant mentality and wants to administer Romania like a mayor does his village."



And he will—if his plan of "systematization" succeeds by destroying most of them. There are two things about the scheme that shock: the massive destruction and disregard for both personal lives and ethnic traditions (which were once Ceausescu's cause); and the relative silence from the rest of the world in the face of it.

Some criticism has been voiced. The European Community has refused trade talks with Romania as long as its violations of human rights continue. And Hungarians have been loudly critical, primarily because they see the project, the main thrust of which will take place in Transylvania, as directed against long-standing Hungarian communities there. Every month an estimated 1000 ethnic Hungarians cross the border illegally into Hungary, where they automatically receive political asylum. A number of editorials in Western papers have taken up this theme.

But Tismaneanu notes that this targeting misses the devastating completeness of the Ceausescu plan. Ceausescu is waging war against his own people. In Tismaneanu's view, Ceausescu is displaying quintessential Leninist thinking: "The party— or I— knows best. The people are not living up to my dreams. Let the people pay." Ceausescu's policy is not designed merely to eliminate ethnic Hungarian or German culture, for each of these minorities has another country for its culture. It is, instead, meant to be the destruction of the identity of the Romanian nation itself.

Last September, the London *Spectator* published "A Letter to Ceausescu" written by the dissident Doina Cornea, a former philosophy professor at Cluj University who was fired from her job in 1983 and subsequently imprisoned. She remains in Romania today. It read in part:

"We call on you to stop the demolition of the country's villages. Driving people from their ancestral settlements where they have a purpose, where they have houses built to meet the needs of life and labor, is a sacrilege....

"A community, a nation, is based on individual lives, lived not under constraints or in fear, but on the variety of aspirations and the struggles of the people to fulfill these aspirations in liberty. Every human being has the right, if not the duty, to fulfill his natural, social, and spiritual destiny. Do not destroy the sacred laws that are at the roots of any human existence. Do not crush the lives of the people!

"We ask for the good will of Romanians in exile, but also of foreigners who are equally concerned about the preservation of our native values, to support this protest."

Two months later the magazine reported that Ms. Cornea had been taken to security headquarters in Bucharest and severely beaten. She and a host of others need to hear our raised voices.

THOMAS SWICK

Thomas Swick is an editorial writer for the Providence Journal *in Rhode Island. He frequently visits and writes on Eastern Europe.*

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DON'T DIE YET

THE REVOLUTION BEHIND THE CURTAIN

At the time of the French Revolution a certain very old man, when asked why he still clung to life, explained that he did so because he was curious to see what would happen next, so exciting were the times. The Gorbachev revolution in the Soviet Union may not be quite as inflaming as the French Revolution: no tumbrels, no guillotines. Mikhail Gorbachev seems determined to make a gradual, not a cataclysmic, transformation of his society; he wants change through a long series of steps, not by means of a great leap forward. But anyone with a choice of living or dying would be ill-advised to choose death right at the moment, for to do so would be to relinquish a seat at one of the greatest political dramas to be performed in centuries.

Many Western observers have concluded that we are witnessing nothing less than the dismantling of Soviet communism. They concede of course that this is not how Gorbachev advertises his program. How could he? Given his domestic audiences, given even his own political conscience, he has no choice but to proclaim that, so far from dismantling socialism, he is refining and improving it, setting it more surely than ever on the path to true communism, the society in which everyone will contribute according to his ability and receive according to his need. It is thus very understandable that Gorbachev would say he is returning to Leninism, to a system destroyed by Stalin. But why should we, the outside world, be deceived? Whatever his lip-service to Leninism, we can see which way he is tending—toward a system of individual freedom, political pluralism, and a mixed economy.

And if Soviet communism goes, can other communisms be far behind? If the mother church loses its faith, how will derivative churches—in Europe, in Asia, in Africa, in Latin America—retain theirs?

Well, I'm not convinced by this analysis. At all events a distinction has to be made between Gorbachev's intention, on the one hand, and the likely consequences of that intention, on the other. Whatever the ultimate result of his reforms may turn out to be, Gorbachev really means it, it seems to me, when he says he wants to set the Soviet Union back on the track it strayed from when Stalinism replaced Leninism. I see no reason to believe that his real intention is to regain the path his country strayed from when the October Revolution replaced the February Revolution. Gorbachev is what he says he is, a disciple of Lenin; he is not a closet disciple of Kerensky.

Consider the major reforms he has so far undertaken; all of them are consistent with the aim of getting rid of the Stalinist elements of the Soviet system and returning to pre-Stalin principles.

First, the separation between party and state. Lenin's idea was that the Soviets should have an independent existence and genuine authority. They would be greatly influenced by the party, no doubt, whose members would dominate the Soviets; but the latter would not be mere rubber stamps for the party. It was only under Stalin that the Soviets lost every shadow of autonomy and became totally subordinated to the party (which in turn became totally subordinated to the secret police). Gorbachev's ideal seems to be the same as Lenin's: a bipolar system in which authority will be divided between party and state.

Second, private ownership of farms. To be sure, Gorbachev has not provided for freehold tenure of family farms, but he has created something very close to this: long-term leases, with the right to sublet and to pass leases on through inheritance. This is the restoration of the system of small, privately held family farms that flourished under Lenin, a system that did not disappear until the 1930s, when Stalin carried out his brutal program of agricultural collectivization, causing the death of millions of independent peasants as he herded them into state farms and collective farms.

Third, political freedom within the limits of a one-party system. Gorbachev favors multicandidate elections; he even favors elections in which some of the candidates are not members of the Communist party. But he does not favor multiparty elections; he wants the Communist party to remain the one and only political party in the Soviet Union. This would suit Lenin just fine. Lenin, of course, heavily stacked the electoral deck in favor of the Communists, but it wasn't until Stalin that Soviet elections became the total sham they remained until just the other day.

Finally, a limited market system. But what is there in this that differs fundamentally from what Lenin prescribed in his New Economic Program (NEP)?

So Gorbachev is a Leninist. He is not a covert Adam Smith or Thomas Jefferson or even John Kenneth Galbraith. His heart is not set upon transforming the Soviet Union into a liberal democracy with a semicapitalist economy.

But his intention, like any person's intention, is one thing; the consequences of that intention are something else. The Soviet Union tried the Leninist system once before, sixty-five years ago, when it demonstrated that its equilibrium was exceedingly unstable. It remains to be seen whether, in this its second incarnation, it can prove any more stable. It may turn out that there is no effective stopping point between rule by a totalitarian bureaucracy-cum-KGB, on the one hand, and creation of a semicapitalist liberal democracy, on the other.

But whatever the outcome, there is no drama now playing on the world stage that is nearly so fascinating as the one being performed in the USSR. As I said at the outset, don't die if you can avoid it. Stay tuned. □

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Pamela Uschuk

Red Cat Near Old Snow

"I used what was left of a burned matchstick and wrote on a bar of soap in my cell. I would read it and read it until it was committed to memory. Then with one washing of my hands it would be gone."

Soviet dissident poet, Irina Ratushinskaya

Fire sinks in the stove.
Snow's shorn close to ice
in that milk-shuttered light of knowing
what's to come,
of being what's passed before.
No breeze branches, just locks and the cat,
red tabby, white patches passing as snow.
In sun, he rubs against my calf,
dreams his claws
in a warbler's throat.

Under river ice, the slow current
fingers stones, silt puffing
like clams blowing, takes carp
and their cargo of gold, their scales
despised by the sportsman's line,
to riversmeet, then to the sea,
washing blood from the city's shores.
Each March, runoff is the tyrant
that collapses bridges as it goes.

Spring in the guise of the self,
side split by the dogwood bud, ruby tag alder
that peels back to green,
to the fragile white petal of desire.
You are a moon inside bars, a new Cerulean
Warbler in the cat's moon eyes.
The old country seduces
but matchsticks char my dreams.

What begins the wren?
How does the bear end?
The soap is hard, holds
thoughts written in ash.
How chapped those hands!
Under ice, the river blows
the old husk of dogwood to silt.
And the cat, from shadow
to shadow, washes prey from its agate coat.

Robert Cooperman

Cut Dead

It was an art at which the British
were masters, in those Victorian novels
about money and love and class:
men who were cads, but who tried
to put on brazen faces by showing up
at their clubs, were snubbed by a wall
of silence so hard their noses broke;
suicide or removal to the continent
their only alternatives, or cloistered
at their estates, the entire county
avoiding their house as if plague
had broken out there year after year.
No one to talk to but icily polite butlers
looking for more suitable service—
soon brandy bottles their only companions,
for breaking the rules by which everyone played.

I had a taste of that isolation this morning:
walking our small town's main street,
seeing an acquaintance, a strange smile
on his face as the distance closed between us
like ships about to ram in Roman sea battles.
I prepared to take off a winter glove
to shake his hand and chat a moment,
but he was past me before I could expel
his name with the ghostly breath of cold;
staring through me, cutting me dead,
as the English would say, to make me laugh
and remember I'd always thought him a moron,
but still that nagging tug at my chest,
trying to remember what I had done
to make me disappear before his very eyes.

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WHEN (IF) 'ROE' FALLS

CAN THERE BE COMPROMISE?

DANIEL A. DEGNAN

When the Supreme Court issued its judgment in the case of *Roe* v. *Wade* in 1973, the Catholic bishops, in an inspired comment, called it another Dred Scott decision. In Dred Scott (1857), the Court declared that under the Constitution blacks could not be citizens and could not be protected by federal laws such as the Missouri Compromise. In *Roe* v. *Wade*, the Court declared that prenatal human life could not be protected by state laws. The Constitution meant, the Court said, that a woman's right to abortion took precedence over the the fetus's claim to life, even in the final three months of pregnancy.

Dred Scott was, in effect, overruled by the Civil War. It now appears that *Roe* v.*Wade* may be overruled by the Supreme Court itself, or, at least, that its reach will be reduced, if not in the Missouri case, then with one or two more appointments to the Court. Of itself, however, such an outcome will not settle the issue of legal protection for the fetus; more probably, it will define the parameters of future legislative struggles in all fifty states. Under the Constitution, the individual states, not the national government, have inherent power to protect life as part of their power to provide for the general welfare. The Court's 1973 declaration of a right to abortion grounded in a personal right of privacy deprived the states of any authority to exert control over abortion. The likely effect of a new decision overturning or narrowing *Roe* will be to restore to the states the power to prohibit or restrict abortions.

The question I want to address here, in anticipation of such a judgment by the Court, is a moral one. If, as I believe, human life, including unborn human life, cries out for legal protection, is it morally permissible to accept a compromise on abortion? Suppose, for example, that a proposed state law would prohibit abortion in the final six months of pregnancy except for grave reasons such as a threat to the life of the mother posed by her pregnancy, but would provide little or no protection to the fetus in the first three months of pregnancy (the first trimester). Can defenders of human life agree in good conscience to reduced legal protection for prenatal life? The question is important. Compromise may well be the only way to obtain some degree of protection for the fetus. Yet since human life is at stake in every abortion, the need for the law's protection would seem to be absolute.

What is the convergence between law and morals in abortion? One thinks of the prochoice marchers in Washington on April 9, chanting, "choice, choice, choice," and then of Pope John Paul II in the United States: "America, you must choose rightly." Whatever an individual person's claim to autonomy and the reasons and forces that would impel a person to choose an abortion, the moral question in abortion concerns the killing of the human fetus.

In early stages of pregnancy, the fetus is dismembered in the womb, in curettage by use of a sharp instrument, in suction abortion with a vacuum tube, with evacuation of the fetal remains. At a later stage, abortion is achieved by removal of the amniotic fluid in which the fetus swims, followed by injection of a saline solution to poison the fetus. The fetus dies of salt poisoning within an hour or two; labor and delivery of the dead fetus complete the procedure. In late abortions drugs can be used to induce labor; the baby will be delivered prematurely and, if breathing, will be left to die. An abortion by hysterotomy resembles birth by Caesarian section. The premature baby, often born alive, is left to die.

Under *Roe* (the most permissive abortion law among Western nations, according to Mary Ann Glendon's *Abortion and Divorce in Western Law* [Harvard, 1987]), timing does not matter; as a matter of the mother's constitutional right, prenatal human life can be taken at any point in the nine months of pregnancy. Even in the final trimester (24-36 weeks), all that is required is the desire of the mother and the concurrence of a single physician, if a medical facility can be found to accommodate them. (Many physicians, it appears, are reluctant to give full scope to this legal right in the third trimester.)

In fact and logic, and therefore in morals, whatever the Supreme Court has said, it has proved impossible to separate

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third-trimester abortions from infanticide (24 weeks being the lower end of viability). But what about abortions performed before the fetus is capable of living outside the womb, when it depends for life and nourishment on the placenta to which it is attached in the mother's womb? Every new understanding—biological, genetic, medical—shows a continuum in unborn human life. As early as eight weeks, the crucial features of development have been achieved and there is readable electrical activity coming from the brain. By twelve weeks, brain structure is complete and fetal heartbeat has been monitored. After the eighth week, what follows is principally growth.

In abortion, then, there is no avoiding the nature of the choice that is made and the action that is taken: It is the taking of a human life. It is here that the law has its foremost duty. Whatever the reasons offered and the needs asserted to justify abortions, the first function of law is to protect innocent human life. My argument is a Thomistic one, based on moral reasoning and not on faith, and on Thomas Aquinas's concepts of the relationship between morality and law. As Alasdair MacIntyre of Notre Dame and John Finnis of Oxford have noted, Aquinas relies on commonly known moral principles, beginning with respect for life, a principle that both directs individual moral action and requires community response in the form of law.

Both morals and law are about justice, right relationships among human beings, based upon what each of us owes to the other. At a first basic level, these demands of justice are expressed in the ten commandments (treated by Aquinas as ethical, not religious, propositions): Do not kill; do not steal; do not commit adultery (thus injuring another's spouse and children); do not injure another by false witness. Each of us, in other words, has a right, a moral claim on our fellow human beings, to have our human dignity respected: our lives first, and our family lives, reputations, friendships, property.

My moral claim to life is not only individual, it is social and common. In the moral community of human beings, each of us is related to every other. That my life is to be respected is a claim made upon everyone and a duty owed by all. Justice, therefore, expresses an equality of moral claims among human beings.

It is here that law and morals converge with respect to abortion. First, laws forbidding homicide are almost identical with morality in the acts they proscribe and in their source. Both law and moral principle spring from the judgment that it is wrong to take another's life, or, more fully, from the recognition that justice requires, as its most urgent demand, that the dignity of each human life be accorded an absolute respect and value.

Second, the legal prohibition of homicide expresses the common good of humanity itself. Each human being's claim to life represents a mutual, universal claim, an ordering of moral rule and law. In Aquinas's thought, the natural laws or rational moral principles forbidding killing and assaults and commanding, more generally, that harm be done to no one, express the primary, basic structure of the common good of society. Abortion, therefore, is twice a wrong: It violates a human being's claim to life, and it destroys the order of justice and the common good.

The convergence of law and morals with respect to abortion, in sum, is demanded by the dignity of human life. Abortion is a form of homicide, and this demands that law intervene to protect unborn human life. Not only does each unborn human life have a claim to absolute respect, but our common good, our common dignity as humans, demands that unborn life be reverenced and protected. It is a conclusion that rises out of the premises, and the premises are hard to deny or evade. Yet, in our society, a partial divergence of law and morals occurs, the consequence of two separate but related realities: the response of Americans, at this time in our history, to abortion as a moral and legal question, and the practical limitations of laws forbidding or restricting abortion.

Laws, however moral their subject matter, are enacted by the political community, through its representatives. What laws will Americans support? Mary Ann Glendon's book demonstrates that, contrary to impressions created by misrepresentation and misuse of opinion polls, Americans have never supported the Supreme Court's position in *Roe* sanctioning abortion on demand. Neither do Americans favor a legal prohibition of all abortions. Their position seems to be like the stance taken by their counterparts in other Western nations whose laws enact severe restrictions on late-term abortions, with lesser restrictions in the early months. Americans generally, even some who welcomed *Roe*, seem to have been shocked by the flood of abortions unleashed by that decision, an attitude reinforced as people have become more familiar with the nature of abortion. It follows that, if *Roe* is indeed modified, meaningful restrictions on abortion can be sought with genuine hope. It would be unrealistic, however, to expect that abortion laws in most states will prohibit all abortions.

Underlying this political reality is the response of Americans to the morality of abortions and, further, to their understanding of the relationship between law and morals in abortion. Here I want to argue that the moral principles relating to abortion are not equally evident to all Americans, or to modern people in general. There is a difference between moral truth and our knowledge of it. As Aquinas puts it, even natural law judgments can sometimes be "abolished from the hearts of men and women." The cause, he argues, is an ignorance and a misdirected will or love arising in a society or in individuals out of sin or corruption. The language may be considered quaint, but can we doubt that for many in our society (not excluding ourselves) moral judgments have been clouded? Even apart from cultural degradation, there is the contemporary drive for autonomy, for control of one's own life, which can lead to lessened concern for or disregard of human relationships, responsibilities, and loves. In this climate, the fetus's claim to life will be semi-deliberately or deliberately ignored by some and will hardly be grasped by many.

Apart from sin and pathology, the knowability of moral principle is affected by long-term intellectual, political, and religious trends. To name just one, most modern ethical thought rejects the idea of moral principles or natural laws expressing universal, objective moral claims. Moral reality is seen from the

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viewpoint of the thinking subject, with the result for the abortion debate that the fetus's claims do not weigh, or do not weigh heavily, against a woman's needs or her claim to reproductive freedom and autonomy.

In consequence, defenders of human life against abortion cannot rely on the force of their form of ethical reasoning, particularly in efforts to persuade those Americans who are all too well instructed in relativist, subjectivist, situationist modes of moral discernment. Even with the broader American public, what will count against abortion will be insistent attention to concrete specifics: a continuing flow of information on who and what the unborn is—a human being like ourselves; a steady insistence on the human unborn's right to life; a constant reminder of the truth that abortion is the killing of a vulnerable human being. The result of this approach is not likely to be a full expression in law of the injustice of abortion. It can, however, save many of the unborn, while affirming the principle of the dignity of human life.

Apart from the degree of public understanding of what abortion is, one must consider the enforceability of restrictive laws, which is dependent to some extent on the willingness or capacity of Americans to obey them. How many persons in our society, as an expression of individual will and moral belief, are likely to seek illegal abortions as a solution to a personal or social problem or need? Abortion advocates predict massive disobedience, with back-alley abortions injuring many and killing some women. It is now admitted that before 1973 these same advocates deliberately and grossly exaggerated the number of deaths from illegal abortions. Nevertheless, these new claims must be given consideration. It is true, as Mary Ann Glendon confirms, that American law and policy impose severe moral and social pressures on American women. Among Western nations the United States ranks lowest in its support of families, particularly of women and children; it holds the same rank in the adequacy of support payments required for the children of divorce. In perverse complement, this nation's abortion and divorce laws are more permissive than those of any other nations studied. With specific reference to abortion, Ms. Glendon writes, women (and their children) are isolated. In keeping with our extreme individualism, a woman may choose an abortion or she may decide to bear her child, but the responsibility is hers. In this harsh climate, the pressure to resolve problems of family life and child rearing through abortion can be overwhelming. Judicial and legislative "permissiveness" on abortion, combined with social indifference to family welfare expressed through governmental budgets, is in many cases coercive rather than kindly, dismissive of a woman's rights rather than genuinely respectful of her autonomy. Ironically, however, for prochoice advocates the first solution remains the continuation of abortion on demand.

Those who support the "seamless garment" approach to the defense of life must learn and convey a different lesson. The effort to protect human life must be a double one. The effort to restore protection of human life in laws concerning abortion must be accompanied by a humane understanding of the moral and social forces in this country that lead women to choose abortions. This second, concurrent effort must be a broad, continuing one, to enable Americans as a community to recognize and accept their moral responsibilities to one another, both in their personal lives and in their laws. As the Catholic bishops have asked in their pastoral on the economy, this country must grow out of the selfish individualism now proffered by so many as the American way, and even the Christian way. Our society's support of family life, of parents and children, is a basic demand of justice.

The protection of unborn life is also a fundamental demand. In our respect for life, our refusal to attack it, one finds the basic elements of justice. In Aquinas's words, the natural law injunction against killing expresses "the very order of justice and virtue," "the order in the common good." By building on this first understanding of justice and the common good we learn, through experience and moral insight, to broaden and deepen the structures of justice.

Still, the question remains: Is it morally permissible to accept compromise on abortion law? In other Western nations, society has learned to live with compromise, often after bitter struggles. Severe restrictions on abortion are successfully enforced in the later and middle stages of pregnancy. Less severe but still significant standards apply to earlier abortions. The message of many of these laws is that abortion involves human life and poses a grave moral and social problem. Obviously, the exceptions that are made mean that the protection of innocent human life is not seen as an absolute; concretely, each exception involves the killing of a human being. Yet from the viewpoint of objective morality the situation is better than in this country; not only better but more promising, in the sense that these societies take a more serious and responsible view of what abortion is, and may be better positioned to move still further toward reducing its incidence.

Judging what is politically feasible in the American context is a very different exercise from determining what is ethically acceptable, but the two kinds of analysis are both relevant. It will be argued that the mere entertaining of the possibility of compromise will weaken the case for banning abortion altogether. That may be true.

It may also be true that after a decade-and-a-half of legally sanctioned abortion on demand the enactment of an absolute prohibition of abortion is out of reach in all or most of the states. It may also be argued that the acceptance of any compromise on abortion law would necessarily constitute an immoral betrayal of principle. In my view such an all-or-nothing approach is not required and may not be prudent. It is beyond the purview of this article to propose specific tactics to be followed by defenders of life in the new abortion debate we are likely to witness. If, as I think likely, a total or near-total ban on abortion is not possible, it would seem that a new abortion debate in the states could lead to important legal restraints on abortion and support for budgetary and other measures to enhance the dignity of women and families, thereby reducing the pressures on women to opt for abortion. □

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IN REJOINDER

WHAT NEXT AT CATHOLIC U?

JAMES H. PROVOST
RAYMOND H. POTVIN
MARY COLLINS

Now that the case that the Reverend Charles Curran brought against Catholic University has been decided in the university's favor (*Commonweal*, March 24, 1989), other unresolved issues have come to the fore, specifically the definition of academic freedom at CU and the conditions under which the faculty is or is not protected by it. The court concluded that because of the special relationship between the university and the Holy See, it was not clear that the university would "always come down on the side of academic freedom," either in the case of "Curran or [that of] any other faculty member." This raises hard questions for the current faculty, and would seem to raise doubts about the willingness of other teachers and scholars to join the CU faculty in the future.

Three members of the Catholic University faculty respond to this situation in the essays that begin on these pages (and are continued on pages 272-73). A faculty resolution, "We Teach Under Protest," appears on page 274. On page 285, the Reverend William Byron, S.J., raises objections to *Commonweal's* March 24 editorial; on page 286, the editors reply to him and to other objections made by Sister Mary Collins, O.S.B., in her essay.

THE EDITORS

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Hard Cases Make Bad Law

"Hard cases," the saying goes, "make bad law." While the case of *The Reverend Charles E. Curran* v. *The Catholic University of America* in the Superior Court of the District of Columbia does not fit the traditional meaning of a "hard case," it could wind up making bad law.

Traditionally "hard cases" are those that present issues in which a correct application of the law will result in inappropriate hardships to one or more of the parties involved. While neither Professor Curran nor Catholic University claimed to be in this kind of a hardship situation, the facts surrounding the recent case are quite singular; trying to base future policy on the decision may wind up causing more harm than good.

From the point of view of the law, the decision is not a binding precedent; it was not issued by an appellate court, let alone the Supreme Court of the United States. Nevertheless, it is being widely quoted and the impression in the general public is that this is a landmark decision. Some church officials are reportedly urging that it be regarded as a precedent that gives carte blanche to interfere with the internal hiring and firing practices of Catholic colleges and universities. Such views certainly do not carry the ring of "good law" to the Catholic academic community.

The decision also is not a determination by the courts of this land about Catholic higher education in general. It is a local decision in a specific case, and makes much of the so-called "special relationship" of Catholic University of America (CU) to the Holy See. This relationship is not limited to the ecclesiastical faculties (theology, philosophy, and canon law), but applies to the whole university as a "pontifical" institution. It may not be possible to contain this case to CU, however, if church officials adopt some of the sweeping statements in the pending Vatican document on Catholic higher education (see *Commonweal*, January 27, 1989). Among other things, for any college or university to consider itself Catholic it will need to adopt a very special relationship to the Holy See by formally accepting the norms proposed in the papal document. The end result in the eyes of the civil law could be the leveling of all Catholic institutions of higher education into the same situation as the decision presents.

The decision is also not about academic freedom in general, but dealt with the particular case of a specific professor. Yet it could be that the implications for academic freedom as it is understood in the legal processes of our country may reach well beyond the CU campus. If a university can appeal in court to a "special relationship" to church—or state—as conditioning the academic freedom of a professor, what does "academic freedom" really mean? The dialogue on this issue which has already begun on the CU campus is a dialogue which bears repeating on

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Setting the Record Straight

Superior Court Judge Frederick H. Weisberg's decision that the Reverend Charles Curran's contract with Catholic University "does not give him the right to teach theology in the face of a definitive judgment by the Holy See that he is ineligible to do so" did not come as a surprise to most of the faculty at CU. What did disturb the faculty, however, was the general thrust of the university's arguments in the pretrial and trial testimony to the court, and the board of trustees' failure to enter into serious dialogue with the academic senate on the issues raised by the Vatican's declaration that Curran was unsuitable to teach Catholic theology at CU.

With Judge Weisberg's observation that it is up to the church and to the university to determine what is good for themselves and what is not in the matter of academic freedom and fealty to Rome, the game is now back on the university's field of play. It is not, therefore, so much the judge's decision but what the chancellor, the chairman of the board of trustees, and the president of the university testified to at the trial that is of concern to the faculty.

For Cardinal James Hickey, chancellor of the university, it seems the Curran problem was never limited to Curran's teaching in the ecclesiastical faculties, though that was said to be the issue when a special committee of the academic senate was constituted to consider the cardinal's intent to withdraw Curran's canonical mission. At the pretrial inquiries, asked why he had limited the committee's mandate to this issue when, in fact, he had already decided that Curran would not be permitted to teach theology anywhere at CU, Cardinal Hickey replied that he did not reveal his intent because he did not want to "short-circuit" the process that was before the board and that he felt obliged "to keep my own counsel" (Dep. Tr.171-172). He admitted that as far back as November 1985, he was against Curran's teaching theology in any capacity at the university (Dep. Tr.432). This may explain why the board of trustees did not accept the recommendation of the special committee that Curran's canonical mission not be withdrawn until an acceptable teaching position in his area of competence be negotiated first. Cardinal Hickey's testimony raises fundamental concerns about whether the board of trustees took seriously the procedures which govern the removal of tenured members of the faculty, or which govern the granting, suspension, and withdrawal of required authorizations for members of the university's three ecclesiastical faculties. At the very least his testimony suggests that the procedures may have been followed "pro forma" only.

Cardinal Joseph Bernardin, at the time, chairman of the board, concurred with Cardinal Hickey's opinions (Dep. Tr. 102, 104-105). As late as December 1987, he had tried "to find a way consonant with the decision of the congregation which

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Where Do We Go From Here?

What does a university faculty do in the face of public judgments that it does not enjoy the full academic freedom associated with its profession? What does it do when it hears from the court, from trustees, from its own president, from professional colleagues, and from journalists that full academic freedom is beyond its reach because it is a Catholic university? What is the faculty at CU doing?

Put simply, faculty throughout the university are doing ordinary things under extraordinary circumstances during this spring semester.

The ordinary things: We continue to teach, following course syllabi prepared prior to the judgment that our academic freedom is limited. We direct student research and conduct our own. We collaborate with our professional colleagues in seminars, symposia, and conferences. We serve as consultants to episcopal conferences, diocesan organizations, and pontifical commissions. We edit journals and encyclopedias and prepare books and articles for publication. We review grant proposals for professional agencies and prepare our own proposals for funding for new research. We administer professional societies and serve as officers for these. We conduct interviews for prospective faculty appointments and we interview prospective students applying for admissions to our various degree programs. We work on committees for curriculum revision and on the self-study report required in preparation for the Middle States Association review of university accreditation in 1990.

These are the regular business of a university faculty, so routine they would not be worth mentioning were we not doing them this spring in extraordinary circumstances. But they are worth mentioning now since doubt has been raised in the public consciousness about the credibility of the faculty and the academic enterprise in which we are engaged. Even *Commonweal's* otherwise careful editorial (March 24, 1989) succumbs to a prejudicial reading of our actual situation. While it quotes accurately the observation of Judge Weisberg that CU has "wanted to be recognized as a university—a Catholic university, to be sure—but a full-fledged American university nonetheless," it then reinterprets the matter by attributing to Judge Weisberg a quite different conclusion that "when it came to academic freedom, Catholic University had never decided to be 'a full-fledged American university.'"

Part of the evident confusion over the self-understanding of The Catholic University of America, past and present, is the complexity of an academic institution and the relationships which, taken together, give it its public identity. In the current moment, the university chancellor, trustees, and president made a judgment to present the university in civil court in terms which served an immediate narrow interest, namely, effectively bar-

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Hard Cases Make Bad Law

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secular as well as religiously affiliated campuses across the country.

Judge Weisberg concluded his decision with the observation that what is good for the Catholic church and for The Catholic University of America is not something to be determined by his court, but for the church and the university to decide.

The Second Vatican Council began to address this issue when it stated: "Let it be recognized that all the faithful, clerical and lay, possess a lawful freedom of inquiry and of thought, and the freedom to express their minds humbly and courageously about those matters in which they enjoy competence" (Pastoral Constitution on the Church, no. 62). Charles Curran attempted to do just that. He has paid a price, but has not the church also paid a price?

When the Code of Canon Law canonized this conciliar statement as one of the obligations and rights of the Christian faithful, it inserted the phrase "while observing due *obsequium* for the magisterium of the church" (canon 218). Whether the interpretation given to *obsequium* by Vatican authorities in the Curran case is to be applied more widely will have a significant bearing on how the church is willing to work with academe in clarifying academic freedom in Catholic institutions.

The issues in the Vatican's disagreement with Professor Curran addressed not only the legitimacy of dissent, but also specific questions in moral theology, primarily related to sexual questions. Aspects of sexual morality are clearly a major concern to Vatican officials these days. But can the chilling effect of this intervention be isolated to sexual morality, or is it having a dampening effect on all of moral theology today? We live in a time when society at large is struggling with questions of morality, public as well as private, ranging from life and death issues to the conduct of civic and business affairs. The church and its universities can ill afford to be absent from this debate; the chill that has descended on teachers of moral theology here and abroad does not serve the church or civil society well.

An ironic dimension to this case is that CU was founded as a research institution, an effort on the part of the American bishops to see that the church is present to the world of higher education, and to do so in the fullest sense of a university. In defending their action in regard to Professor Curran, have the chancellor and board so weakened the idea of a university that it will be difficult for any Catholic institution to be taken seriously by American academe in the future? CU is in the midst of its regular evaluation by Middle States Association of Colleges and Schools for purposes of accreditation. The issue of the university's identity is being discussed by faculty and administration. But from the results of the Curran case, the discussion may have bearing on a wider audience, and bears careful reflection by all who are committed to the cause of Catholic witness in the world of knowledge and culture.

Judge Weisberg tossed the ball back to the university, to decide what it means by academic freedom. At The Catholic University of America the academic senate has initiated a faculty-wide dialogue, looking eventually toward candid exchanges with trustees and administrators on the topic. On a wider scale, the decision in the Curran case must not be seen as setting the limits, or the meaning, of academic freedom for Catholic colleges and universities; if some would attempt to make it do so, this would indeed be turning a hard case into bad law.

JAMES H. PROVOST

Setting the Record Straight

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would permit Father Curran to retain his tenure and rank" (Dep. Tr.131), but in the last analysis he came around to the chancellor's position (Dep. Tr.219-220). He testified at the trial that academic freedom only meant what the board of trustees defined it to be, but that, in fact, the board had never defined it (Ct. Tr.C653-C655). This extends the issues raised in the Curran case to the whole faculty and leads to the widespread opinion that academic freedom does not exist at Catholic University. While Cardinal Bernardin subsequently wrote an open letter to the faculty denying this interpretation of his testimony, the fact remains that a right not defined is no right at all.

The faculty had hoped that the Reverend William Byron, S.J., president of CU, would articulate its concerns that the university's posture at the trial not jeopardize its traditional commitment to academic freedom. In 1969 the academic senate stated that "institutional autonomy and academic freedom are essential conditions of university life and growth," and it "endorse[d] the policy statements and proposed regulations of the American Association of University Professors (AAUP) concerning academic freedom and tenure as expressed in 1940 and again in 1968." Since all meetings of the board on the Curran case, with one exception when Curran and his lawyers appeared before the trustees, were held in executive session with no faculty representatives present, it is not known what transpired.

Previous administrations had been guided on various occasions by this declaration of the academic senate. For example it was the basis of the university's defense against Boris Browzin who sued for breach of contract when, as a tenured professor, he was terminated. The opinion of the United States Court of Appeals in this case was filed by Circuit Judge J. Skelly Wright who wrote that the university "also stipulated that the standards which were to govern the case were to be found in the 1968 Recommended Institutional Regulations on Academic Freedom and Tenure, propounded by the American Association of University Professors. It was, in effect, a stipulation that the 1968 regulations had been adopted as part of the contract between Browzin and the university, an adoption entirely

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consistent with the statutes of the university and the university's previous responses to AAUP actions" (*Browzin v. Catholic University of America*, 527F.2nd 843, 1975). The same theme recurs in many university documents, especially the self-studies presented in 1970 and in 1980 to the Middle States Association of Colleges and Schools. At the time the trustees had been made aware of these self-declarations and voiced no protests. It appeared from Cardinal Bernardin's testimony that either this historical commitment had not been made known to the current members of the board, or that they knew about it and refused to be governed by it.

Academic freedom is conceived as a framework within which people who disagree about what is true can freely express their views in the hope that dialogue without fear of reprisal will clarify where the truth lies. In his public declarations, President Byron has tended to emphasize the limits of academic freedom without elaborating on the reasons for its existence even in a university that takes seriously its special relationship to the Holy See (see "A Catholic Reflection on Academic Freedom" in *Origins*, February 16, 1989). It does not help for President Byron to write that "the ecclesial limit on this exercise of human understanding [i.e. theology] is continuity with the tradition of the church" which is to be determined in the final analysis "by the bishop." The crucial issues center on how such fidelity and respect become translated into "being open to episcopal oversight in the area of theology" and on how this oversight is to be exercised, especially in cases of conflict and competing traditions. Of course "teachers are not free to profess falsehood," but statements such as Byron's beg the issue.

James Annarelli, in his response to Byron's views on academic freedom, distinguishes between the freedom of the theologian in the church and the academic freedom of the theologian in the university. These are not identical issues and the recognition that they are not permits reaching a conclusion quite different from that of Byron who believes that "proclaim[ing] a Catholic identity without accepting an ecclesial limit on theological exploration and communication is to misunderstand not only the nature of church-relatedness, but also the idea of a university and the meaning of academic freedom." As things now stand, are there any instructions from the bishops of the United States or from Rome that CU's board of trustees or the president can legitimately resist? Are there any limits on what Rome can impose on the university given the argument CU presented in court that its actions regarding Curran were dictated by its "special relationship" to the Vatican? Are there any restrictions on academic freedom that may be applicable in ecclesiastical schools granting ecclesiastical degrees but that are not applicable to faculty in nonecclesiastical programs and schools? These issues need addressing.

The academic senate of CU has begun the process and has invited participation by the full faculty, the administration, and the trustees. This university's battle for academic freedom has never been won or lost definitively. Trustees, presidents, and faculty come and go. Statutes that can be made can be changed. So can their interpretation. In its history Catholic University has seen sad attempts to curtail academic freedom; it has seen important victories. In *The Vatican and the American Hierarchy* (Michael Glazier), Gerald Fogarty has documented that this university, from its very beginnings, has been the scene of many a struggle between liberals and conservatives in America and in Rome. This struggle as well as the battle for academic freedom are likely to continue and the Curran case has simply opened up a new phase in that history.

RAYMOND H. POTVIN

Michael Shorb

A Flower Responds to Certain Criticisms Advanced by the Cathedral

Sir, the solitary
Deferential is that snow and sun
Are one to the mortared
Luminaries of this world,
From their enormous height.

But I am alive; I can bend
Petals in the wind, whisper
What was written on the wheel—
Beads of the flood:

That rain is equal to the stars,
God a blend of mud and pushing
Roots, the least shall be robed
In solar fluids
By the heart of light

Before the fleeting mighty fall.

Where Do We Go From Here?

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ring the Reverend Charles Curran from ever teaching theology at CU again.

This constricted presentation of CU is not the whole story. A faculty is the heart of a university, and the CU faculty understands both its present identity and its history in terms different from those set out in the context of litigation. So in the midst of its ordinary work this spring we have been forced to become newly self-aware, to speak up, to set the record straight.

On March 16, a unanimous resolution of the academic senate began with the declaration, "The academic senate of The Catholic University of America, in this centennial year of the university, recalls with pride the rich traditions of scholarship and responsible research that have characterized this university

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'We teach under protest'

On April 7, 1989, the following resolution was adopted by ordinary professors of arts and sciences at Catholic University with a vote of 16 yes, 4 no, 1 abstention:

We, the body of ordinary professors of the School of Arts and Sciences, are distressed and alarmed at the damaging implications for academic freedom of the recent court case of *Charles Curran* v. *Catholic University*. We view with grave concern the testimony of the chairman of the board of trustees, the chancellor, and the president, which displayed a lack of understanding of the history of the university and its tradition of academic freedom. We deplore the effective denial of academic freedom to Father Curran when the university failed to arrange for him an alternative faculty position consistent with his field of competence and his scholarly accomplishments.

The academic freedom which we have enjoyed has been jeopardized, and the reputation of the university in the eyes of the academic community may suffer unwarranted and undeserved diminution. Since academic freedom is essential for the fostering of creative scholarship, for attracting and retaining a faculty of distinction, and for maintaining accreditation by the professional organizations to which CUA belongs, we urge an unequivocal recommitment at this time by the university to the commonly accepted principles of academic freedom.

We teach under protest until the board of trustees reaffirms the university's commitment to full academic freedom.

in its 100-year history. Included in that history have been significant contributions to the intellectual life of Roman Catholicism as the university has sought to attain academic excellence in the sacred sciences as well as in arts and sciences generally and in selected professions." Accompanying the senate declaration was a further resolution calling for the faculty to reconstitute for itself the memory of that rich tradition, which is in danger of being obscured by the narrow account of the university's purpose set out for Judge Weisberg. The resolution is also motivated by the recognition that every human institution coheres as a community of memory and interpretation, so that the story it tells itself from one generation to the next shapes its future. If the Curran case version of this university prevails, the institution will indeed become in the future what it has never been in the past, an institution of higher education defined solely by a special relation with the Vatican.

The senate declaration takes full account of what Judge Weisberg noted, that CU—like other Catholic institutions of higher education in this country, incidentally—has "wanted it both ways." "Notwithstanding the academic distinction it has attained," so the academic senate's declaration observes, "the university has experienced moments of tension and difficulty arising from its efforts to be truly a university in accord with American standards of higher education, and, at the same time, truly Catholic in orientation and commitment." The senate's reference to past difficulties is intended to refute the judgment of those who say that suddenly the game is up for CU. "In acknowledging such periods of difficulty, the senate recalls that it has been through the cooperative efforts of faculty, administration, and trustees that such difficulties have been resolved in the past and that the university has been able to maintain its academic integrity and its Catholic character."

If CU's faculty enters its second century still aspiring to seek truth with a tenacious confidence that faith and reason are not irreconcilable, after reading pretrial depositions and trial transcripts, we may be wiser about the difficulties that accompany our conviction and warier about taking too much for granted. Through a letter from Cardinal Joseph Bernardin, former chairman of the board of trustees, the present faculty was informed in December that it could await a "full and precise definition" of academic freedom in the near future. The letter did not specify the process to be used to develop a statement so vital to the present and future well-being of the institution.

In ordinary circumstances, the faculty might presume that the board of trustees would consult the wisdom of those who had spent their professional lives discovering how to hold in creative tension the commitment to Catholic faith and the search for truth before it acted as a board to make definitive statements about how such commitments must be ordered. In the present circumstances, in which the impression lingers that the sole responsibility for the integrity of the institution lies with the trustees and the administration, with the faculty playing little more than a minor role in the enterprise, the academic senate has committed itself to participating from the start in the promised process. It has a number of convictions that it wants on the record, none of them novel ideas within the university, despite recent public statements to the contrary.

Accordingly the senate has asked the faculties of all the schools of the university to reflect together on the nature of the academic enterprise in which they are engaged, addressing several statements that the senate itself endorsed as descriptive of the self-understanding of the faculty. Among them are the following: (1) that institutional autonomy and academic freedom are essential conditions of the university's life and growth; (2) that the university, as a community of scholars, requires an atmosphere of freedom in the pursuit of truth, the absence of external constraints upon that pursuit, and the guarantee of clearly formulated procedures for the just evaluation of academic competence by one's academic peers; and (3) that the principles of academic freedom apply to all disciplines in the university, including the sacred sciences.

Concerning this final point, the academic senate observes, "Recent statements made in the public forum have raised questions as to whether academic freedom is uniquely limited at this university and applies differently to faculty members engaged in theological research and teaching than it does to

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faculty members engaged in other disciplines." While nothing in the governing documents of the university currently make such a distinction, the distinction was introduced in the heat of litigation. Only full discussion among the faculty will assure that "such implications not become university policy" without all concerned parties being heard from.

While there are few hand-wringers or crepe-hangers among the faculty in Northeast Washington, D.C., this spring, this academic community is neither inert nor naive about the importance of this present moment for its own future. If there is heaviness in the air, it can be heard in the voices of senior faculty at the university—scientists and engineers, humanists and social scientists, philosophers, theologians, lawyers—observing that they are tired, tired of a struggle to protect and promote the well-being of The Catholic University of America to which they have given a lifetime of committed service, and concerned whether anybody else except them cares enough about this university, its tradition, and its aspiration, to work through this present moment. Yet even in their weariness, their voices are firm. On April 7, the ordinary professors of the School of Arts and Sciences passed a resolution (see p. 274) stating in part, "We view with grave concern the testimony of the chairman of the board of trustees, the chancellor, and the president, which displayed a lack of understanding of the history of the university and its tradition of academic freedom" and declaring "...we urge an unequivocal recommitment at this time by the university to the commonly-accepted principles of academic freedom" and concluding, "We teach under protest until the board of trustees reaffirms the university's commitment to full academic freedom."

MARY COLLINS

A PROFUSION OF LAND MINES

ISRAEL, THE PLO, & THE PATH TO MODERATION

MITCHELL COHEN

The key to understanding Yitzhak Shamir's diplomacy is his tenacity. The Israeli premier is a shrewd politician of patience and nerve. Having secured the premiership in last November's national election, Shamir and his right-wing Likud party reinforced their domestic standing by routing the left-leaning Labor party in late winter's municipal elections. Shamir has outmaneuvered both his opponents within the Likud and more importantly, he has outmaneuvered Labor. The latter, although opposed to the premier's policies, now sits in a "national unity" government dominated by him.

During the previous national unity government, Labor's leader, Shimon Peres, sought a breakthrough in the Arab-Israeli conflict. As foreign minister (1987-88), he played to the world stage but failed to take care of his political backyard. Peres counted on a major diplomatic transformation to catapult his moderate policies—and himself—into political dominance, thereby overwhelming Shamir's opposition to territorial concessions by Israel in a peace settlement. Shamir, in the meantime, did his domestic political homework, biding his time and waiting for the right moment to thwart Peres. And thwart him he did; when the moment of truth came, Peres lacked the political base to gain either cabinet or popular backing for his plan for an international peace conference. In the words of a well-placed government official: "Labor has the will to do what is necessary to move the peace process forward, but not the power; the Likud has the power, but not the will."

Today the Likud is confident and vigorous. Its old guard has brought a vibrant, middle generation into the cabinet with it. Labor, which for all practical purposes created the Jewish state, is in disarray. Its original strength rested on an ability to link its national agenda to innovative grass-roots organization. Likud did just that in the recent municipal elections, out-organizing its lethargic foe and making the key campaign issue not garbage collection but Yasir Arafat. The Likud is now setting its political sights on the powerful, economically troubled Histadrut (the Labor-dominated union federation), which is due to have elections in the fall.

In the face of all this, a revolt is brewing in the Labor party. Unless Peres, who now serves as finance minister, does something dramatic to reverse Labor's fortunes, he will have great difficulties surviving as party leader. An array of candidates has already declared to replace him, some forcefully challenging Labor's participation in the national unity government. Among them is dovish Uzi Baram, who resigned recently as party secretary-general in order to oppose the party's direction—or lack thereof. Labor's old guard—Peres and defense minister Yitzhak Rabin—do not want to step aside, while the party's middle generation—with some exceptions—can only be de-

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scribed as underwhelming. There is an impressive younger group in its thirties and forties, such as Knesset faction leader Haim Ramon, but it may be too soon for them to seize the mantle.

"We need to reinvent Israeli social democracy and to renew it as an innovative and dynamic force," says Pini Shomer, a thoughtful and energetic Labor activist in his late thirties. Shomer sits on both the party and Histadrut executives and represents Labor on the city council of Bat Yam, a town just south of Tel Aviv. Even though there has been an undeniable trend to the right, he is convinced that Labor "can recapture the high ground if we come forth as a forceful and clear-cut alternative to the Likud." In terms of the Palestinian issue, he says, "We must talk to the Palestinians, whatever their organizational affiliation."

In fact, following Yasir Arafat's public recognition last December of Israel and his renunciation of terror, there has been a discernible shift in statements by Labor leaders. Peres recently declared that Jerusalem must talk to Palestinians "as they are—as they are organized." Two other ranking Labor ministers, Moshe Shahal and Gad Yakobi, suggested in early March that talks with Arafat might be possible.

A public opinion poll in early winter showed a majority of Israelis (54 percent) willing to talk to the PLO. Yet the Israeli moderate camp—which along with Labor includes the smaller, dovish Citizens' Rights (Ratz) and Mapam parties, and the Peace Now movement—has been unable to translate such statistics into political momentum for change. Seen in this light, the Likud victory in municipal elections represents more a vote of confidence in the Likud as a party than an endorsement of Shamir's policies as a whole. Indeed, the Likud mayor of Tel Aviv is a known dove.

On the other hand, the polling showed just how effectively the Likud can tap into deep and volatile Israeli fears about the PLO's real intentions. Immediately after the municipal election returns, a buoyant Shamir, uncharacteristically, went on the offensive. First he blasted a study issued by the Jaffee Center at Tel Aviv University which suggested that Palestinian autonomy, followed possibly by statehood, might be in Israel's own best interests. He declared that the report's chief architect, former military intelligence chief Aharon Yariv, was "weakening...Israel's position in the international arena and...strengthening [that] of our enemies." And he blasted the Peace Now movement for advocating direct negotiations with the PLO.

Generally, however, Shamir is subdued. His strategy is to wait for others to stumble. Peres did so; Arafat, Shamir expects, will eventually follow suit. After all, within a month of renouncing terrorism the PLO chief responded to Bethlehem Mayor Elias Freij's suggestion of a year-long truce in the West Bank and Gaza with the declaration that, "any Palestinian leader who proposes an end to the *intifadah* exposes himself to the bullets of his own people and endangers his life. The PLO will know how to deal with him." In early March, when a unit from the Democratic Front for the Liberation of Palestine, a PLO constituent, was intercepted trying to cross Israel's northern border, Arafat justified this as an attempt to defend Palestinian camps in Lebanon. The squad's declared target, however, was a civilian agricultural cooperative. Israelis ask why, if Arafat has renounced terror, does he "explain" an attack aimed clearly at innocents? And when Arafat claims lack of control over some groups in the PLO, Israelis question whether he can truly deliver in a peace settlement.

Since they want *both* Israeli security and a fair resolution to the Palestinian problem, Israeli peace activists find themselves in an ongoing struggle on two fronts. "On the Israeli side," says Hebrew University professor Menahem Brinker, a leader of Peace Now, "the urgent task is to keep the debate going, to struggle against the illusion that Israel can get out of the present impasse without talking to the PLO, without directly addressing Palestinian grievances, and without recognizing the Palestinians. On the other hand, the PLO must recognize that even the most moderate Israelis expect Palestinians to speak with one voice, and one which recognizes the legitimate rights of both parties to the conflict. This means that the PLO must say unequivocally and univocally that a West Bank-Gaza state will fulfill Palestinian national aspirations and not serve as the base for a future irredentism."

Shamir's domestic strength is reinforced both by PLO equivocations and by very undiplomatic pressures from some foreign governments and media who demand changes in Jerusalem's policy without any sensitivity to Israeli apprehensions. In early

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winter, when British Deputy Foreign Secretary William Waldgrave traveled to the Mideast, he publicly opined that since members of the Israeli government were former "terrorists," Jerusalem should have no qualms about negotiating with the PLO. The accuracy of Waldgrave's characterization of Shamir—the obvious target since he was, before 1948, a leader of the underground "Stern Gang"—is irrelevant. A diplomat proposing to engage in "even-handed" mediation simply cannot make such statements and expect to be trusted.

How, too, are Israelis to respond to the front page of the *Manchester Guardian Weekly* during Christmas week? It printed an editorial calling for new policies from Jerusalem and featured a cartoon by Oliphant of an Arab, leading his pregnant wife on a donkey, approaching an inn with a "no vacancy" sign in a town clearly meant to be Bethlehem. The innkeeper says, "You might try down at the Balata refugee camp, but try not to get yourselves shot by Israeli security." In a corner of the cartoon a small character, wearing an Arab headdress, says, "They already got three guys on camels." Any Israeli, and any Jew, seeing this, discerns not pictorial sarcasm about Israeli repression of the *intifadah*, but blatant if subliminal anti-Semitism: the Jew—in this case "the Zionist"—as Christ-killer. Such things hardly encourage the average Israeli to chance an international peace conference in which "friendly persuasion" by outside powers will seek concessions. They may encourage him/her to consider voting for the politicians who sound the toughest. Like Yitzhak Shamir.

All this is, however, a matter apart from the wisdom, or lack of wisdom, of current Israeli foreign policy. Indeed, the bankruptcy of permanent Israeli occupation of the West Bank and Gaza seems to be self-evident to everyone but Shamir and his backers. The U.S. appears to be adopting a cautious approach in nudging its ally (as evinced by the recent visits of Hosni Mubarak and Shamir). The reasons why are easily discernible and not ill-conceived. Consider that the two major successes of American diplomacy in the Mideast—Kissinger's shuttle diplomacy of 1974-75 and the Camp David Accords—required, respectively, a secretary of state and a president devoting themselves to it almost entirely. And for weeks on end.

A new president and a new foreign policy team simply cannot do the same. More importantly, as the Mideast is among the most intractable of conflicts, and as a president has additional global concerns—the USSR and China, for example—it is naive to imagine that a new administration, just establishing itself on the world stage, is immediately going to invest its major diplomatic capital in an attempt at a Mideast quick-fix.

One way to read Washington's distancing of itself from the idea of an international conference on the Mideast, and Secretary of State James Baker's suggestion that both Israel and the PLO begin "tension-reducing" and "confidence-building" measures, is that administration thinking may now be partly paralleling that of Kissinger's step-by-step diplomacy. (Key foreign policy players on the Bush team—Scowcroft and Eagleburger—are close associates of the former secretary of state.) The assumption is that it may be nigh impossible to solve all the intricacies of the Mideast conflict in a swift, comprehensive way. An international conference might be held hostage to Palestinian maximalists or to a Syrian government which, in order to further its own regional ambitions, formulates extreme demands as an Arab nationalist litmus-test, thereby undercutting Arab moderates. The Soviets, who are slowly but significantly repairing relations with Israel, might try to moderate Damascus, but Moscow's leverage has its real limits.

In contrast, "tension-reducing measures," "confidence-improving actions," "steps towards autonomy" (such as municipal elections in the West Bank), etc., if ongoing and if pushed far enough, could slowly produce new, and perhaps irreversible conditions leading in a piecemeal, rather than comprehensive, way toward a settlement. The precedent is the Sinai Disengagement Accords between Cairo and Jerusalem after the 1973 War; as a result of the creation of buffer zones, reopening the Suez Canal, and other moves, it became increasingly difficult and expensive for the combatants to go back to war. This set the stage for the Egyptian-Israeli peace.

For all its logic, such a piecemeal approach also has liabilities. Go-slow diplomacy can go too slowly, and can easily get stalled. Arafat's recognition of Israel has opened new opportunities that could be lost, and the PLO chief needs results to sustain moderation in his own organization. One must fully appreciate the ironies here. PLO moderation is a diplomatic nightmare for Shamir. Arafat, however, was forced into that moderation by the *intifadah* which is, of course, against the very regime Shamir heads. And in today's Middle East, such a prolonged revolt could have occurred only in territories under Israeli occupation because there the dominating army, whatever its brutalities, has constraints on it. In contrast, when Syria's president Assad faced an uprising in Hama a few years ago, he simply and quickly leveled much of the town together with thousands upon thousands of its inhabitants; repression of anti-government demonstrators in Algiers last fall (shortly before the Palestinian National Council met there, in fact) left almost twice the number of Algerians dead as Palestinians who had died in the *intifadah*.

Shamir thinks he can wait out the Palestinian rebellion. The Western media, rushing for *intifadah* photo opportunities, may create the impression that the revolt can go on forever, but, calculates Shamir, one can strike, shut-down one's business, not send one's children to school, and throw rocks at an army for only so long. Perhaps another year or two. Since the Israeli premier believes that the cost of giving up the occupied territories which are now home to 70,000 Israeli settlers, will ultimately be much higher than weathering the storm, it all becomes a matter of tenacity. Israeli moderates, attuned to the fears of their fellow citizens, desirous of a fruitful Israeli-Palestinian dialogue, vigorously opposed to Shamir's agenda but still harboring doubts about that of Arafat, remain caught, once again, in the middle.

American diplomacy, if it wants to be constructive, needs to be attentive to what is happening on the ground in the region, for

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it is a ground filled with land mines. One cannot skip blithely across it. On the one hand, Washington must firmly make it clear to Shamir and Israeli hawks that a policy of maintaining the status quo with an eye toward permanent retention of the occupied territories is untenable. However, in making this clear, Washington must also remain ever vigilant to real Israeli security concerns, both because the concerns are legitimate and because ignoring them will only undermine Israeli moderates. On the other hand, the PLO must be told over and again that a real change in the Palestinian situation depends on its pursuit of a path of moderation, one that recognizes the rights of both sides. The cost of any backtracking by Arafat should be high. Consequently, an active but cautious diplomacy of complexity will be required of the Bush administration in the coming months—a diplomacy which carefully balances short-term needs with long-term imperatives. The point is not simply to avoid stepping on the land mines, but to begin to defuse the mine field. □

SCREEN

CAMERAS ON THE SLY

'CHARLIE MOPIC' & 'LA LECTRICE'

Patrick Duncan's *84 Charlie Mopic* breathes invigorating and scary life into the Vietnam war film genre. It rivals *Platoon* in power, but doesn't have *Platoon*'s scope or its dreamy but realistic texture of sight, sound, and feel of Southeast Asia. Duncan, a combat veteran and the director of *84 Charlie Mopic*, has also discarded the mythmaking of *Platoon* that provided an explosive charge to the characters. Even so, Duncan's film, made on a shoestring budget, works extremely well in other ways, especially because the camera brings us to the down-to-earth level of war.

The film's title derives from its premise: "mopic" is slang for an army filmmaker, whose work this film pretends to be. Duncan plies the fiction that a cameraman from headquarters is accompanying a special squad on ambush missions in the bush; it's all fake cinéma vérité. The film resembles a TV video, a technology that Duncan (who has worked on HBO's "Vietnam War Story" series) knows firsthand, and an apt mode for a war that came to us on the airwaves nightly, like a TV show. Duncan's cameraman becomes our eyes. We rarely see him; the focus is only on the squad members in front or behind, as "we" jog along in the underbrush.

Duncan's hand-held camera will infect you with a bad case of nerves. Even more than Oliver Stone in *Platoon*, Duncan achieves an acute immediacy, placing us, jumpily, right on top of things. The director rarely uses wide or long shots, and only one zoom. Most of the action is shot from a low angle or over someone's body—in the film's first half, someone still alive. We may not want to get closer to war, but *Mopic* puts us there.

The visual style of the film also works to breed intimate knowledge of the squad—only five regular soldiers, the cameraman, and new lieutenant, who has imposed himself on the group in search of exploits for quick promotiom. The group is more defined than the larger units featured in *Platoon* or Kubrick's *Full Metal Jacket*. Indeed, in the talky first half of *84 Charlie Mopic*, you almost get to know the squad too well. While Duncan over-relies on some sentimental military clichés, the talk makes for strong suspense. The deaths of the squad members are not easy to take, not merely because of the gruesomely honest realism, but because of the sympathy you feel for each, no matter how driven, angry, violent, or, in the case of the lieutenant (Jonathan Emerson), opportunistic some of them seem. Richard Brooks as the crackerjack black sergeant whom the group reveres is particularly sympathetic, and also Nicholas Cascone as a wise-guy radioman.

The weaknesses of this film involve not the talk but its premises: why would a special squad accept the lieutenant? Why let a cameraman tag along? Duncan's landscapes lack the ominousness of the Philippines, used in *Platoon*; his location is California. His narrow lens angle means a lack of scope, not just on political and military issues, but also on the average grunt's experience; the squad is a specialized, self-designated elite. "Demythologizing" is a fine goal. But myth does have an apt role in interpreting experience as long as it is not imposed on it. *84 Charlie Mopic* takes the low road of understatment—except with battle death. Despite resulting flaws, it attains its own, new and different kind of excellence.

La Lectrice is a small bright gem with genuine magic. Winner of nine Cesar nominations last year, it stars Miou-Miou, the French actress nicknamed for the resemblance of her voice to a purring cat's. Her mature voice in *La Lectrice* becomes the center of a buoyant, cerebral, and mostly enjoyable hymn to the power of literature.

Miou-Miou plays two intertwined roles: a young woman (Constance) reading Raymond Jean's *La Lectrice*, a novel about a young woman (Marie) who takes up a career reading books to people. Naturally, as Constance reads away, she imagines herself as Marie, whose modest little line of work leads to some daffy, sweetly surreal comedy because of her effect on her customers. The effect of the Constance-Marie (or life-art) byplay on us is similarly exhilarating.

Marie's customers are mostly oddballs. First is a paralytic young man, who immediately develops a crush on Marie and faints during one of her readings. Second is an old, exiled Hungarian countess lost in her memories, who demands that Marie read Marx on metals and tracts by Lenin. Third is a sex-starved businessman who cannot resist the allure of Marie's honeyed reading. Comedy results both from Miou-Miou's odd blend of erotic allure and deadpan looks and the reactions of her listeners (some from *The Comédie Française*) who sink, swoon, or spring into action as soon as she starts. As one reminds her, "You never know where reading will lead." Here is a bibliographical version of *The Perils of Pauline*.

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Director Michel Deville has a point to make: books can be both fun and powerful. One wishes for an "Americanized" version. Mercifully, Deville (and his co-screenwriter and wife Rosalinde) only play with literary theories of "deconstruction" of the boundaries between fiction and reality. They exploit these in a sprightly, surprising way, with editing cuts that leave us momentarily but blithely confused about what belongs to art or life, at least "life" on screen. An example is the dotty raving of the countess's sultry but eccentric maid (the original Bella B., a waif out of Borges) who claims that spiders attack her at night. The Devilles add a Beethoven score filled with sprightly allegros to complement the mood.

None of this would work without a sly camera style and production design that make you feel an airy vertigo. Miou-Miou (as Marie) jaunts through the medieval nooks and crannies of Arles, which are nearly always empty and ultra-bright. The interiors are all quietly but superbly designed and individualized for each customer. *La Lectrice* is one of those European films of such charm and grace that it becomes a sensual pleasure merely to look at it.

There are two problems. The gawky businessman is played by Patrick Chesnais, winner of a Cesar for "Best Supporting Actor"; but his strange style of moving by fits and starts takes getting used to. Many of the scenes in the film also turn erotic, often inoffensively, but not always; one scene is gross. To end the tale, the last reading must involve some dangerous liaison: on cue, a judge invites Marie to read him de Sade. She ultimately declines—the art-life possibilities concern her—but the film includes one session with his lurid prose. Using it may be dramatically apt; emotionally and morally, however, it is a challenge hard to endure.

TOM O'BRIEN

STAGE

PRIZE PROBLEMS

'CHRONICLES' & 'COCKTAIL HOUR'

Wendy Wasserstein's *The Heidi Chronicles* began as a workshop production at the Seattle Repertory Theatre; then, shepherded by the Seattle Rep's Daniel Sullivan, it moved to a well-received off-Broadway debut and then to Broadway; it has now been blessed by the Pulitzer Prize committee. It is a typical American-theater success story of the 1980s, but I have trouble working up much enthusiasm for its triumphant journey.

The Heidi of the title is an art historian, a presumably intelligent and sensitive woman who moves from 1965 to 1989, picking her way through the ideational thickets of those years, only to find that the goal of her generation, to become an independent woman in a male world, brings emptiness with it. The audience follows Heidi's progress in brief scenes that teeter on the edge of broad satire and sometimes, as in the consciousness-raising meeting, fall over completely. Heidi remains pretty much the same throughout the fifteen years—concerned, but a little cold, a little distant, her involvement tinged with self-irony. On her stroll down memory lane, she is accompanied by the two men closest to her—a homosexual doctor who remains her best friend (and incidentally provides an excuse to bring in AIDS as an item in Wasserstein's cultural catalogue) and a fast-talking charmer, sometimes her lover, an intellectual conman who plays the main chance and persists in confusing the fashionable with the significant. Heidi's oldest woman friend, the only other important character in the play, is a Wasserstein joke, a chameleon who becomes whatever the moment requires: a ditsy sexpot, a jargonesque feminist, a member of an ecological commune, a power-lunch paragon in the entertainment business.

The chief weakness of the play is that it has no dramatic center. Heidi is so muted in her behavior that she serves as little more than a foil for the more animated characters—a kind of wall on which Wasserstein can hang her snapshots. Joan Allen is one of the finest reactors among American performers (consider last year's Tony-winning performance in *Burn This*), but however fascinating it is to watch Allen work, Heidi remains flaccid. We are supposed to understand the distress within the character, which surfaces primarily in runs of nervousness and in one unlikely overt moment in which she turns a speech at an alumnae gathering into a high whine of generational regret. At the end of the play, she has adopted a child and the suggestion

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is that she has found a certain solidity as a single mother, but nothing in the play or the character makes motherhood look like anything but an occasion for Heidi's next disappointment. The ending is as arbitrary as that of Wasserstein's earlier hit, *Isn't It Romantic*, in which the heroine decides for no very clear reason not to marry the man she loves; perhaps she had been to see *My Brilliant Career* at her local moviehouse.

If Heidi as activist and Heidi as unrealized lover are a bit difficult to accept in her *Chronicles*, Heidi as art historian is impossible. She is supposed to be an expert on female artists, correcting the sexual imbalance in the history of art, and we see her in lectures at the beginning of each act. Her manner is oddly frothy, her disclosure decorated with what I think of as wee academic jokies. The wee academic jokie, of which there are far too many on campuses, is not funny if it sounds as though it were written into the lecture, if it is taken out of the classroom context, if it makes the speaker sound as though she were apologizing for her subject matter. So it is with all of Heidi's jokies. Her lectures diminish the whole enterprise of rethinking the female presence in art. In part, that is a product of the unanchored Heidi described in the paragraph above. In part, it grows out of the play's tendency to trivialize the genuine concerns of women in particular, radicals in general, by emphasizing the fashionable patina on social change. As a comic writer, Wasserstein can see what is ludicrous in the convoluted social history of the last fifteen years. On the serious side, *The Heidi Chronicles* is one of those gee-it-didn't-turn-out-the-way-we-expected plays, another offspring of *The Big Chill*.

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A. R. Gurney's *The Cocktail Hour* began at San Diego's Old Globe Theater and then, shepherded by the Globe's Jack O'Brien, opened off-Broadway where it settled into a long, comfortable run. Had I been shopping for a Pulitzer possibility, I might have lingered longer over *Hour*. It takes place in familiar Gurney country—an affluent family in upstate New York (read, Buffalo). As so often in Gurney plays, it deals with a ritual family occasion which the devotees see as a civilized holdout in an increasingly vulgar world, but which the play shows as an empty or repressive rite. The cocktail hour, as the father in the play sees it, is a quiet moment in which a libation celebrates the family and the society in which it functions and paves the way to the next ritual, the family dinner. We have been there before with Gurney in *The Dining Room*. We learn in the course of the play that the hour in this family has always gone beyond its sixty minutes, has become more lubrication than libation, designed to obscure the cracks in the solidity that the father—uneasy at coming from a less social family than his wife—liked to imagine their life was built on. It has always been a cross for the children and for the constantly changing servants in the kitchen trying to keep the dinner until the paternal whistle is well wetted.

The hour we take part in here is a special one since the playwriting son (who earns his living as an editor, not as a professor, as Gurney does) has come to ask permission to produce a play about the family. As with the student in *The Dining Room* who uses his aunt's demonstration of the correct table setting for an anthropology project, the playwright is assumed to be betraying the family. Permission is finally given when the father realizes that the son is moved by love and reluctant respect as well as by exasperation and anger at an upbringing that he has found crippling. There is much more to the play: sibling rivalry, for instance, and a family secret that son must worm from the mother, a closet novelist. One of the more interesting ingredients is Gurney's attempt to rectify his critics' responses. It was Gurney who defined his people, in *The Dining Room*, as "The Wasps of the Northeastern United States," and critics have picked up the label and used it pejoratively as though Gurney's choice of setting robbed his plays of emotional content. Through the somewhat self-pitying cries of the son, the acid-tinged complaints of the daughter, the defensive prickliness of the father, the circumlocutions of the mother, the play insists, "If you prick us, do we not bleed?" Just because people live in well-appointed rooms, dress with casual elegance, and speak full sentences does not mean that they cannot have their fair share of the world's suffering. It is a valid point, but *The Cocktail Hour* too often makes it rather than embodies it. Since Gurney's dialogue and his stage business effectively dramatize the family's talent for avoiding unpleasantness, he does not have to explain it—or have his surrogate playwright explain it. Sometimes the most electrical confrontations are those that do not take place.

GERALD WEALES

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To be good or to do well?

MORAL MAZES
The World of Corporate Managers
Robert Jackall
Oxford, $21.95, 249 pp.

Barbara Ley Toffler

No one who has spent any time working in, dealing with, or studying large U.S. corporations would hold up such institutions as models of morality. Leaving aside the widely publicized illegal events (e.g., insider trading, manipulation of government contracts), in which wrongful action has been chosen for purposes of self-gain, unethical or ethically questionable behavior still occurs far too frequently simply as a result of decent people trying to get the job done. Competitive pressures in an increasingly deregulated environment, ambiguity in the translation of policy and strategy into effective practice, and the reality of competing and often conflicting value and stakeholder claims on individual managers make the moral route a multi-forked road in which the right path may be neither clearly marked, readily available, nor even generally agreed upon.

However, no one who has spent any time engaging with large U.S. corporations and corporate managers could walk away without respect and appreciation for the competence, the acute decision-making skills, and, yes, the moral fiber (despite many apparent moral and managerial difficulties) of most who practice the art of management. The critical—but respectful—corporate observer both cheers and despairs at the seeming contradictions in striving for the goal of ethical, effective, and profitable economic activity.

But now comes Robert Jackall who, with *Moral Mazes: The World of Corporate Managers*, will make many who worry deeply about the moral state of the U.S. corporation rise vigorously to its defense. Jackall takes an ideological position in his study of the institutional environment that shapes managerial behavior. He sees the U.S. corporation as a patrimonial hierarchy in which "morality is whatever your boss says it is," and in which the Protestant ethic has been so distorted that it is no longer hard work but luck, public relations, and self-promotion that lead to success. "[The subordinate] must follow the boss's lead in conversation, must laugh at his boss's jokes while not making jokes of his own....The shrewd subordinate learns to efface himself, so that his boss's face might shine more clearly.... In return, he can hope for those perquisites...the better, more attractive secretaries, an [enlarged] office...and to be elevated when and if the boss is elevated."

To create these conditions for success, Jackall asserts, the corporate manager spends an inordinate amount of time engaged in the activities of blame-placing and self-protection, or, as he reports in more colorful language than is used here, in effectively covering a sensitive part of his anatomy or finding himself kissing it goodby. As he says, "Above all, one must streamline oneself shamelessly, learn to wear all the right masks, learn all the proper vocabularies..., get to know all the right people, and cultivate...the art of self-promotion. One can then sit tight and wait for things to happen."

Jackall's excessively negative and cynical view of the corporate world in which managers talk like macho, sexist, B-movie thugs ("Don't get your meat where you get your bread and butter") is so breathtaking in its distortion and its disrespect for its subjects that the more serious problems are initially masked. But it is these other problems that challenge the validity of this study and, hence, its contribution to our understanding of the corporate workplace.

First, the core of Jackall's ideology is

"We appreciate your quotations from Plato, Simpkins, however, they do not apply to this little takeover!"

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that morality demands an unswerving, preemptive adherence to traditional moral values and beliefs. Dilemmas, by their nature, frequently pit basic moral values against each other (truth-telling versus doing no harm; respecting autonomy versus caring and protecting). And, as Jackall states, "work—bureaucratic work in particular—poses a series of intractable dilemmas that often demand compromises with traditional moral beliefs. Men and women in positions of authority, like managers, face these dilemmas." Simply by living and working in a complex institutional society, which places multiple value demands and multiple responsibilities upon them (but is this not like life outside the corporation?), managers are doomed to exist in a world of moral mazes with no exit.

Jackall sees "managerial moralities [as] always situational, always relative," a phrase which underlines a critical flaw in his analysis. "Situational" and "relative" do not mean the same thing. Simplistically a relativist, which label Jackall would attach to a corporate manager, would say that sometimes truth is to be valued and sometimes it is not. The situationalist, which is what a responsible manager is, would say, "Truth is a value I uphold. How, in this complex situation where 'truth' may compete with other values and outcomes, do I enact this value?" By holding to a narrow, sterile and "easy" view of morality ("easy," if all one must do is choose between right and wrong), Jackall denies the richness of the integrity inherent in wrestling with the ethics of a complex world.

The second critical problem in *Moral Mazes* is that Jackall offers some first-rate descriptions of managerial life and circumstances and then distorts the reality they represent by interpreting them in accordance with his ideological theme. For example, Jackall offers a well-drawn description of a whistle-blowing incident in which a talented young manager discovers that a new high-durability product is, in fact, likely to fall apart under moderately heavy use. Jackall describes the whistle-blowing process that the young manager was advised to take, which ultimately resulted in the product's being withdrawn, one executive being fired, and two R&D scientists being sanctioned. To me, the incident is clearly a successful example of the danger-fraught activity of whistle-blowing. But not in this book. Here the story concludes with the young manager's comment, "No one ever told me thank you; no one said that I was a good employee....If I had pursued this issue I would have been fired, no doubt about it. Since I didn't pursue it, I didn't get any credit."

Jackall interprets this incident not as evidence of effective whistle-blowing in which the company protected the young man's anonymity, but as one more example of how the corporate bureaucracy reinforces expedient behavior on the part of ambitious employees. (One could make an argument that public recognition of a whistle-blower would model and support desired behavior and so should occur. However, that point was not the rationale for Jackall's argument.) So what many might see as an example of effective whistle-blowing (of which there are far too few around), becomes simply one more piece of corporation-bashing. This practice of narrow, ideologically driven interpretation not only loses the richness of the described reality, but results in a book that is tedious and redundant, each point seeming to have been made endless times before.

The richness of Jackall's data and his ability to describe complex situations concisely and with clarity do not compensate for his denial of the morality of dilemmic situations and an almost arrogant imposition of ideological bias on the data. Jackall himself unintentionally offers a fitting epigram for his book. He talks of the personal pain of a manager in a chemical company that had produced over time DDT, chlorofluorocarbons, and other chemicals, which originally were seen as life-saving products and then became known as dangerous poisons. The manager describes his anguish at "changing" from hero to murderer as a result of shifting social definitions. Jackall's response to him might serve as solace to managers assailed by this book: "One of the few consolations available is the hope that those who reinterpret one's work and denigrate its value might someday be seen to be captive to a kind of moral smugness." □

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IN SEARCH OF THE AFTERLIFE

HEAVEN
A History
Colleen McDannell and Bernhard Lang
Yale University Press, $29.95, 410 pp.

William P. Loewe

Queen Victoria left instructions that she was to be buried wearing her wedding veil. In this she was a docile follower of her chaplain, Charles Kingsley, whose correspondence, diaries, and sketches leave no doubt that conjugal embraces figured large in his anticipations of eternal bliss. He knew, after all, that pure love conquers death, from which it seemed obvious to him that heaven must allow room for the chaste intercourse of married lovers.

Sunday after Sunday Christian assemblies profess belief in "the resurrection of the dead and the life of the world to come. Amen." More broadly, a 1982 Gallup poll found that 71 percent of the American population thinks there is a heaven where the good receive an eternal reward. On further matters, however, vagueness reigns. What is the eternal reward? What do saints do with themselves? What goes on in heaven, anyway? To questions like these neither the liturgical creed, which dates back to the fourth century, nor official church teaching responds with much detail.

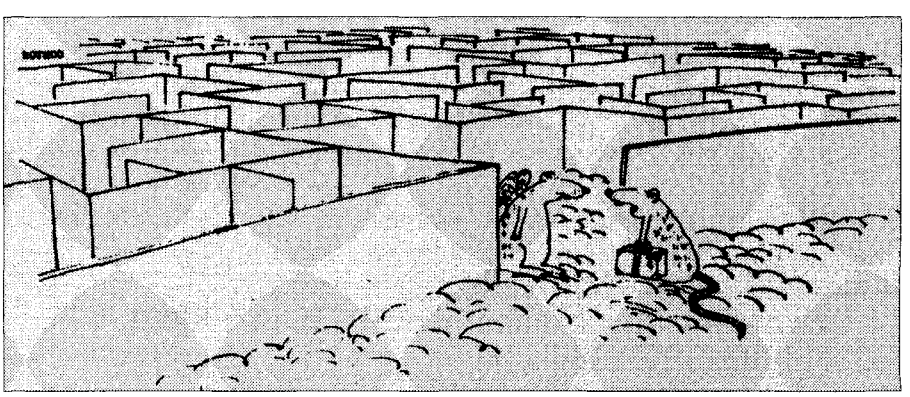
Indeed, St. Paul took a dim view of the impulse to speculate about the afterlife. Some of his correspondents were wondering what it is like to be raised from the dead and what sort of bodies they could expect to have. His initial response is the sort that, at a public lecture or in a classroom, guarantees that no further question will pass the audience's lips. "You fool," he roars (I Cor. 15:36). Resurrection is God's deed, beyond space and time, on the far side of death. Hence it is literally unimaginable, just not the sort of thing you can picture. Nor does Christian hope require pictures. For St. Paul, the present experience of God's Spirit is sufficient pledge that one will share in what God did for Jesus by raising him from the dead.

The sublimity of St. Paul's theology and the reticence of official doctrine notwithstanding, people will have answers to their questions, and two millennia of Christian culture high and low, of art, poetry, and literature, of sermons and theology testify to the creative impact of this insistence. The resulting images of heaven proliferate through the centuries and vary wildly among themselves. Whatever their trustworthiness as guides to the beyond, in one respect these images cannot fail: they provide first-hand data on the values and desires which structure the worlds of those whose hopes they express. For this reason, as authors McDannell and Lang rightly assert, the story of heaven is at the same time the story of Western culture. Their telling of that story shows why Christian images of heaven, precisely in their shifting and evolving variety, constitute a historian's delight.

Victoria and her chaplain, it turns out, represent one aspect of a distinctly modern version of heaven to which Colleen McDannell and Bernhard Lang devote almost half their book. Announced by Emanuel Swedenborg in the eighteenth century and surviving today most notably among the Mormons, this modern heaven centers on the human: wholly continuous with this life and thoroughly material, it finds its bliss in the edifying activities with which the deceased work at their own betterment while enjoying the company of their peers. Originating among a literary elite, the modern heaven was developed and carried beyond the clerical establishment by women fiction writers of the nineteenth century. At their hands it exercised a dual social role: immortalizing Victorian disdain for idleness, it also served to secure the Victorian home from the disturbing influence of socialists, feminists, or labor reformers. For these writers and their audience, "Once families existed in heaven, home, schools, pets, and suburbs quickly followed."

McDannell and Lang find similar projections in the Middle Ages. Monasteries, for example, fostered an agrarian lifestyle, while monastic circles culled from the Book of Genesis an image of heaven as a renewed garden of paradise where naked saints found sober refreshment in nature's welcoming ambience. The newly founded orders of friars, however, Dominicans and Franciscans, throve on urban living, and the heaven they preached and painted celebrated the cultured life of a new Jerusalem in which rich attire symbolized heavenly rank.

Theologians like Thomas Aquinas entertained more austere notions. For Thomas heaven's joy derived from the knowledge of God and only that; perfect contemplation brought all other activity to a halt, and any pleasure in the company of one's fellow saints was secondary and, in the last analysis, superfluous. With these views Thomas represents the polar oppo-



"THIS is the afterlife?"

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site of the modern version of heaven, one side of a tension which McDannell and Lang find running through the full span of their history. On their account, Thomas's theocentrism stands in line with that of Jesus and the New Testament as well as the early writings of St. Augustine, medieval mystics, Protestant reformers, and contemporary theology. Its counterpoint, an anthropocentric version of heaven, emerges in a second century writer like Irenaeus, the later Augustine, various medieval texts, the Renaissance, and of course the eighteenth and nineteenth centuries.

Heaven: A History offers first of all the pleasure of the well-wrought tale McDannell and Lang have forged from a wealth of sources, a tale spanning the centuries from ancient Judaism to the present and enhanced by more than sixty illustrations. Their handsome volume also invites conversation. Historians deal in probabilities, and the authors admit openly the conjectural and speculative character of the positions on heaven their opening chapters ascribe to Jesus, Paul, and their Jewish contemporaries. Furthermore, if their topic is religious, their approach as historians of society and culture is resolutely secular. This does not, in the end, deprive their work of religious significance. McDannell and Lang identify an opposition between theocentric and anthropocentric values as the key to their history of images of the afterlife. Historically this judgment may be (more or less) adequate, but religiously, is not such an opposition simply a mistake? Truncated images of human wholeness become banal or repugnant, and in either case they serve, sooner or later, to stifle the hope that renders living meaningful. Insightful and entertaining as cultural history, this chronicle of heaven's images serves as well to animate the perennially humane questions of what we dare hope for and in what our wholeness finally consists. □

COMING
Spring Book Issue
May 19

CORRESPONDENCE

(Continued from page 258)

larly strengthened according to the teachings of Vatican II. We observe that there is a [similar] systematic policy...in Holland, Austria, and Switzerland.

The events are a disappointment for many Christians because they expected...the church, according to its apostolic tradition, to be directed by a college of bishops, presided over by the pope. They also anticipated that the curia would be confined to the role which is appropriate for that office....We had hoped that the development...of a centralized and absolutist regimen of the church, dating from the beginning of modern times, could be reversed....

As active and engaged members of the church, we have experienced the consequences of papal measures that abandon...statements of Vatican II, which [had given] us air to breathe in our church, and which we need in order to develop our convictions freely: ...the discrimination against women, the refusal to laicize priests, the uncompromising position on *Humanae vitae*, the prohibition of lay preaching during the eucharistic celebration. We do not doubt that the pope is acting according to his deepest convictions, but we are convinced that our church will suffer serious damage as a result of these procedures.

Though they have been raised by parents who are convinced Christians and have grown up in homes with strong Christian values, which they have learned to appreciate, our children and grandchildren are leaving the institutional church. How can we pass on to them Christian belief and an appreciation of the church if instead of fraternity and charity, power is exercised, if instead of love and tolerance, the opinions of others are ignored?

We ask you and all of the German bishops to work together so that the way opened by the council will not be closed...."

Shallow criticism

New York, N.Y.

To the Editors: James O'Donohoe's review of John McNeill's two books, *The Church and the Homosexual*, and *Taking a Chance on God*, [February 10] startled me because his criticism was so shallow. In particular, his statement that McNeill fails "to articulate his pastoral approach sufficiently within the context of the traditional Christian understanding of the human person and the nature and purpose of human sexuality that have been historically developed by the church and staunchly defended by the Second Vatican Council" must be addressed.

The entire point of *The Church and the Homosexual* is that new approaches to understanding and meeting the needs of Catholic lesbians and gay men are required because the church has not dealt honestly with this issue in the past. It is incumbent upon the church and Catholic educators to study this issue from points of view outside of traditional tenets. Both of McNeill's books are well-written and well-reasoned. *The Church and the Homosexual*, in particular, is carefully footnoted and its arguments are presented within the context of historical scripture studies. To argue that McNeill's pastoral approach fails to convince O'Donohoe because it moves outside of traditional teaching really begs the question.

I don't know anyone else who is writing on issues surrounding the lesbian and gay Catholic person from perspectives outside of "traditional Christian understanding." For that reason alone, McNeill's books deserve to be studied by anyone interested in this issue.

MICHAEL P. CONLEY

Gay fidelity

Washington, D.C.

To the Editors: I really must take issue with James O'Donohoe's review of the work of John J. McNeill ["Pilgrims of Conscience," February 10]. His specific criticism of McNeill's assumptions, while personally distasteful, seems to be correct in the hair-splitting vocabulary of moral theology.

I am not a moral theologian so I am unqualified to debate the finer points he raises. I am, however, a homosexual and am troubled by an underlying conclusion that O'Donohoe implies: that the homosexual is somehow a lesser person.

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His reference to homosexual promiscuity "...which studies show to be more prevalent than fidelity among members of the gay community..." is well taken. There can be no denying the legacy of the bath houses and casual pick-ups, especially with the specter of AIDS; yet, O'Donohoe suggests a deficiency in the capacity of gays to be faithful, as if their natural disposition is one of instability and promiscuity. I was unaware of this. I would suggest that O'Donohoe examine the statistics on divorce, which do little to affirm a greater fidelity among heterosexuals.

His quotation of Richard McCormick is further disturbing with its call to "norms...which invite to a better humanity." What exactly would these be? Does a "better humanity" include a world made safe from these promiscuous creatures, restrained by an "...apparently(!) severe disciplinary church teaching" or one in which those who genuinely seek God are able to do so in expectation of honoring their true selves, hopeful of becoming more loving and compassionate people?

I can assure O'Donohoe that nothing would bring this homosexual greater joy than the opportunity to enter into faithful relationship in which my commitment to another man was not only riveted, but strengthened, by a joint commitment to God.

I also love the church and all that it stands for, but I find it increasingly agonizing to realize how unwelcome I am in it. To face repeatedly the same arguments and assumptions from one of O'Donohoe's qualifications is terribly disheartening.

ANONYMOUS

Clear & committed

New York, N.Y.

To the Editors: Just a note to thank you very much for the directness of your two editorials: "Gottwald's Cap" and "Gone with the Wind" [February 10]. I'm impressed by the clarity of *Commonweal's* commitment and immensely grateful for it.

COLIN GREER
The New World Foundation

Mirror, mirror...

New Haven, Conn.

To the Editors: Your editorials in the 10 February issue, "Gottwald's Cap" and "Gone with the Wind," were trenchant in their critique of our collective "airbrushing of history." It seems that such stylizing of reality, as you perceptively illustrate, has been in vogue particularly during the Reagan years, when appearance and reality, style and substance, have been collapsed in mainstream political discourse. Thank you for helping us reestablish these crucial dichotomies.

STEPHEN B. SCHARPER

Distorted & unfair

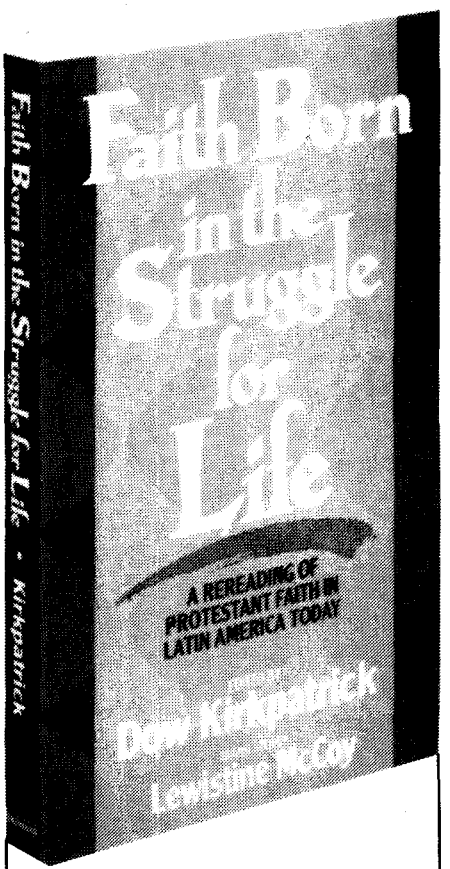
Washington, D.C.

To the Editors: Commonweal's editorial "Verdicts Yet to Come" [March 24] distorts the record and is quite unfair to The Catholic University of America.

Instead of attempting to read Judge Weisberg's mind, the editors should have opened their own minds to an unbiased reading of his opinion in *Curran* v. *CUA*. Nowhere does Judge Weisberg's written decision state, as your editorial has him say, that "Catholic University has never decided to be 'a full-fledged American university.'" Nor are the premises there in the decision for you to say, "hence his refusal" and "hence his observation," on the way to your own editorial conclusions. The full text of the opinion and order of the court appears in *Origins*, Vol. 18, No. 40 (March 16, 1989). Careful readers can draw their own conclusions.

The judge invited lawyers for both the plaintiff and the defendant to file post-trial "Findings of Fact and Conclusions of Law." Nothing short of bias can explain *Commonweal's* selectively quoting from the document prepared by the defendant's lawyer, in its editorial quest for "Catholic University's definition of the church." While no one can dispute the accuracy of the legal language, no fair observer would even consider offering the excerpt *Commonweal* quoted as a complete statement representing CUA's understanding of the church.

Commonweal can help both Catholic theology and Catholic higher education in the months and years ahead by fostering awareness of "the principles of correction and development as well as continuity," of which your editorial speaks. But the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editorial itself missed a good opportunity to take a step in that direction.

WILLIAM J. BYRON, S.J.
President
The Catholic University of America

The missing mystery

Newton Centre, Mass.

To the Editors: As an appreciative reader and long-time friend of *Commonweal*, I confess to some dismay on reading your March 24 issue.

Your lead editorial on the "Curran Case" is a sharply written, but predictably "liberal" reading of the issues involved, culminating in the somewhat sententious: "What is lamentable about the Curran case is not that the university sacrificed the good of Father Curran out of its concern for orthodoxy but that it sacrificed the good of orthodoxy out of its concern over Father Curran."

For myself what is lamentable about the issue, dated at the midpoint of the paschal triduum, is the absence of any reference to the central mystery of orthodox Christian faith. The closest this reader could espy was the title of Nicholas Lash's book, *Easter in Ordinary*, splendidly reviewed by Michael Himes. (That is "Lash" and not "Lasch" as your cover mistakenly headlined.)

May I, in turn, wax sententious? "If Christ be not risen, our preaching is vain...not to mention our polemics." I expect more from *Commonweal* than incisive institutional critique; I yearn for nourishment of faith. I found little of the latter in your March 24 issue.

Have the editors, like the selected poet of "Hubris in March," chosen "void over Word?" One wonders...and hopes that the void may bear the configuration of an empty tomb. REV. ROBERT IMBELLI

The editors reply:

Commonweal's editorial neither misquoted Judge Weisberg—the impression conveyed by William Byron—nor misinterpreted him, as Mary Collins (p. 271) more benignly suggests.

In the relevant passage of his decision (*Commonweal*, March 24, pp.189-90), Judge Weisberg wrote that Catholic University "had to wrestle with its own ambivalence" in making the choice it faced in the late 1960s. The school could either seek recognition as "a full-fledged American university" or continue to put a higher value on its "special relationship with the Holy See." Perhaps "the university wanted it both ways," the judge added, and on most issues that was possible. In the Curran case, however, the conflict was unavoidable, and the university had never so clearly decided for the first option that faculty members could assume their contracts honored academic freedom over "unwavering fealty to the Holy See."

In sum, at least when it came to academic freedom in the area of theology—and our editorial carried this specification in its next sentence—Catholic University had stopped short of deciding to be "a full-fledged American university."

President Byron protests that only "bias" would make us quote the description that Catholic University provided the court as the school's "complete" understanding of the church. His objection is one the editorial anticipated. No doubt, the university would take years and volumes to provide a "complete" definition of the church. But the one we cited is the one it provided to the court in its "Findings of Fact"—and, as our editorial noted, the one hammered home throughout the trial. It was the operative definition, the one that governed policy choices.

Now, having both won its case and shown its loyalty to the Holy See, the university wants to amend the record. A good number of Catholic University's officials and supporters are primarily engaged in damage control. They appear to hope that by denying long enough and loud enough what the university did and said, they will somehow make their minimizing interpretation become the reality, and thereby make the harm done to academic freedom at CU disappear.

Perhaps the administration will be able to make its view prevail. It may even be the case that the underlying conflict can be papered over repeatedly. But, each time, the intellectual losses to the church will grow deeper and more permanent. Church leaders will count the cost when it is too late.

Robert Imbelli is not only a long-time friend of *Commonweal* but a valued contributor to its pages. That someone with his moderate views and normally temperate expression should be dismayed at our reading of the Curran case gave us pause. Upon reflection we note that *Commonweal* has closely followed the Curran case not out of a prurient interest in any struggle with authority, but in recognition that the conflict between CU and Charles Curran was a benchmark in the way in which the post-Vatican II church might respond to legitimate disagreement within its body. If, indeed, our reading can be labeled predictably liberal, perhaps it is the case that even predictable liberalism still has something to say to the church.

THE EDITORS

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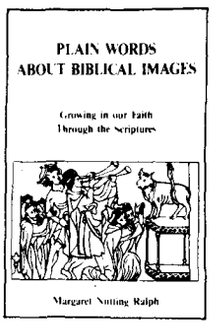

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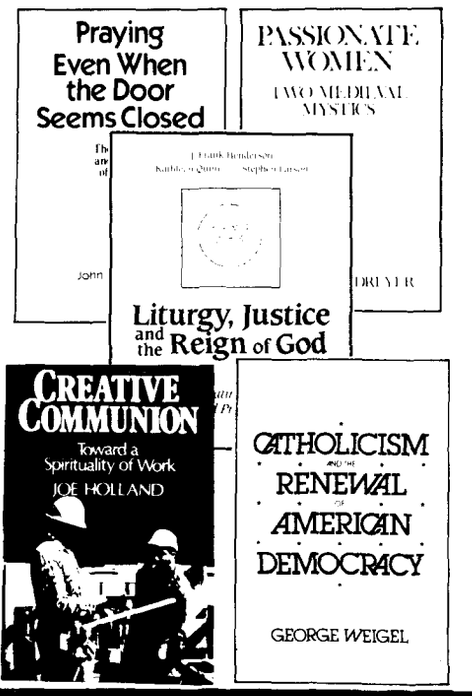
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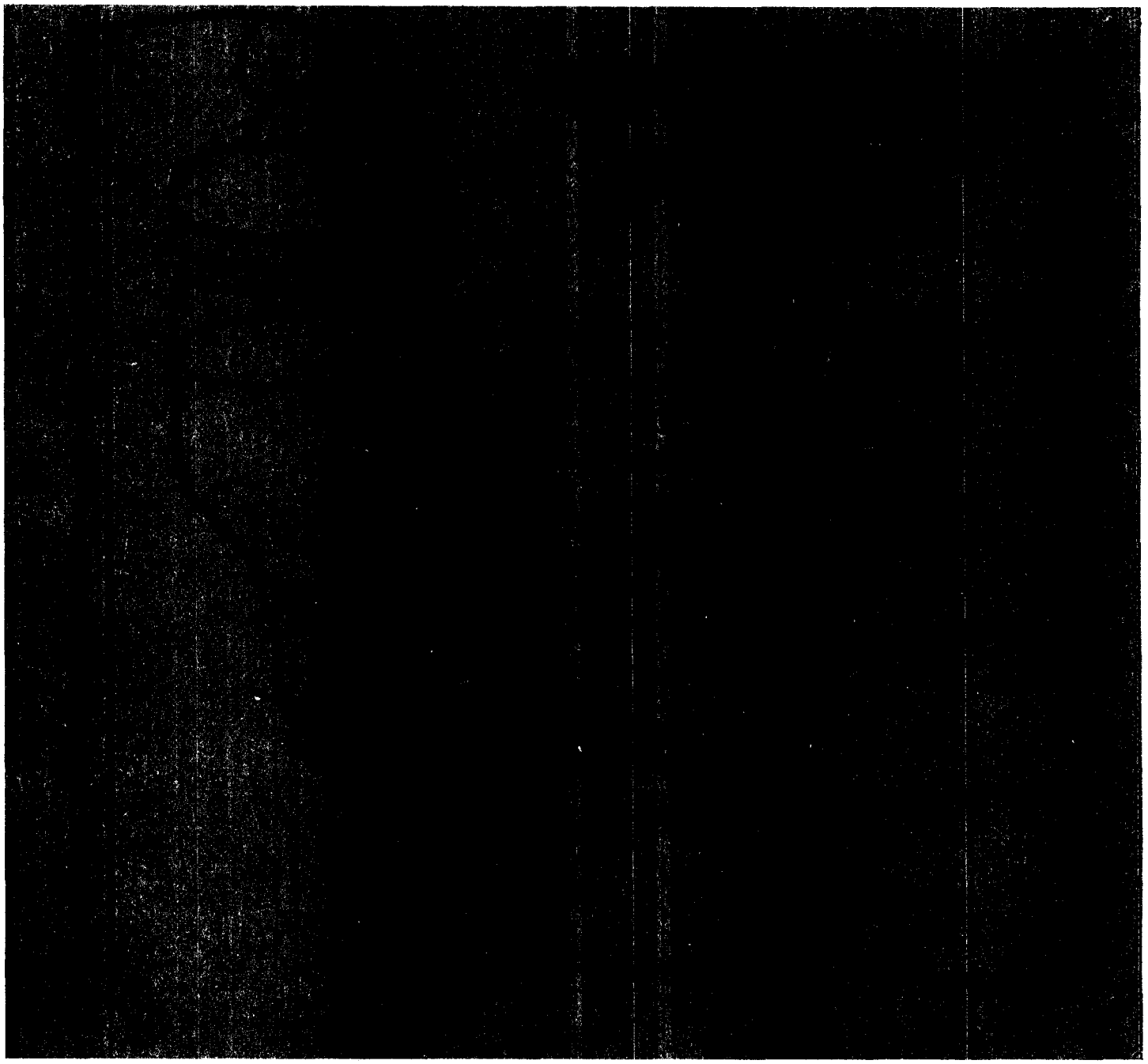

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